

LAW ENFORCEMENT NEWS

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LA chief chokes on his words in defending use of neck-holds

In an effort to end a lengthy debate over the use of controversial "choke-holds" by Los Angeles police officers, Chief Daryl F. Gates announced on May 6 that the department would no longer use the bar-arm control hold.

But instead of quelling the furor over use of the choke-holds, Gates's decision and his later statements explaining it only fueled the controversy. Within a week, the Police Commission had imposed a six-month moratorium on all choke-holds and set up a committee to look into charges that Gates should be removed from office because of racial prejudice.

The moratorium seems to have cooled the debate over choke-holds for now, but the question of Gates's attitude toward blacks and other minorities remains a hot issue.

Minority leaders first objected to the use of upper body holds to subdue violent suspects because, they charged, a disproportionate number of suspects injured or killed by the holds were black. They claimed that 12 of 16 people who have died as a consequence of choke-holds since 1975 were black.

The death of a 20-year-old man on April 5 heightened the controversy. The man, who police said behaved violently after

speeding away from a traffic stop, died two weeks after being subdued by a carotid artery hold, in which an officer blocks the neck arteries and cuts off the flow of blood to the brain.

Gates dropped the use of the bar-arm hold when debate over the death intensified. The bar-arm hold, which cuts off the air supply to the lungs, is considered more dangerous than carotid holds.

But when Gates tried to answer charges that more blacks died after the use of choke-holds because officers were using undue force with black suspects, he only infuriated minority communities.

Gates told a newspaper reporter that some blacks might be more likely to die from choke-holds because of physiological differences that made their recovery slower than that of "normal people."

Gates later apologized for the statement, but refused to recant his statement that physical differences in blacks accounted for the higher number of choke-hold deaths.

Commander William Booth, an assistant to the chief, said medical authorities have informed Gates that some people have conditions that make them more

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What They Are Saying:

"There is no question in my mind that I'm ready for this challenge."

Newly-appointed Police Chief Billy D. Prince, who takes over the Dallas Police Department at the age of 39.

Accreditation standards head for the field — with high hopes

Proposed accreditation standards for police agencies that could establish procedures for training officers, conducting criminal investigations and administering discipline, among other things, have been completed and will be tested late this summer.

The Commission on Accreditation for Law Enforcement Agencies, a 21-member group that has been working to establish the standards since late 1979, completed its work early this month.

Commission chairman Thomas F. Hastings said the group will meet in July to determine how the new standards will be tested, adding that the field-testing could be completed by fall.

Hastings, the former chief of the Rochester, N.Y., Police Department, said he is more than satisfied with the completed standards.

"Satisfied is a gross understatement," he told Law Enforcement News recently. "I'm very pleased. I really didn't think we'd get this far down the road, yet we have been able to hammer out what I believe to be a very workable system."

The standards, which will be used to accredit state and local law enforcement agencies when the testing process is com-



Thomas F. Hastings

pleted, address such diverse topics as promotion of officers, collective bargaining, juvenile operations, fiscal management, community relations and organized-crime control.

"We feel we've written standards which are specific enough to measure and improve performance nationwide, yet which will not take away an agency's discretion to solve local problems or concerns. What we're trying to do is tell an agency 'what to,' not 'how to,'" Hastings said.

Hastings predicted success for the accreditation process.

"The outlook for success is good," he said. "The police chiefs I've talked to are obviously interested. The chiefs don't want a department that's second-rate and darn few administrators want a second-rate department."

The standards will not necessitate drastic changes in departments seeking accreditation, Hastings said. "It's not going to be a case where a professional police department is going to have to change everything they're doing."

The cooperation of four professional law enforcement organizations — the International Association of Chiefs of Police, National Sheriffs' Association, National Organization of Black Law Enforcement Executives and the Police Executive Research Forum — has helped the standards, Hastings said.

"I don't want to imply that everything was smooth," he said. "There were many times in voting there would be dissents. We would sometimes have arguments. But that didn't cause us to 'water down' the standards. Any compromise that took place was because we felt a particular standard might not be fair to small departments, or something like

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Sharpening up a cop's tools:

The changing face of police training

By FRANK P. CAREY JR.

The importance of personnel at all levels of the police organization was recognized early in the development of the ICAP program and a great deal of attention was paid to this area. Training is just one of several activities that make

THE ICAP STORY

Twelfth article in a series.

up the "improving police personnel" component of ICAP — a component that also includes performance appraisal and participatory management.

Training takes three basic forms under the ICAP approach:

¶ **Orientation** — A survey-like introduction that explains the process and provides discussion and familiarization.

¶ **"How-to" training** — Sit-down lesson models on the ICAP state-of-the-art that are more than orientation.

¶ **On-the-Job Training (OJT)** — The first two steps are precursor learning-curve activities to "doing it" on the job. This training can be offered on-site at the home agency, or on location at an agency that has a process one desires to copy.

Police departments embarking on an

ICAP program should try to allow a minimum of six months for an orientation and organizational development program. Every segment of the department should receive a full exposure to the ICAP process to comprehend that it is indeed a "process," and not a disjointed, ad hoc series of segmented projects.

Expectations as to the time frame for implementation should be realistically addressed and assessed. For example, the establishment of a crime-analysis unit represents only a physical activity, yet the functional credibility of the unit and product development and field testing might take two years.

Uncommon Training Approaches

In order to implement the wide range of activities in the ICAP program, all of the departments had to develop a variety of training programs, ranging from simple orientation programs to those that improve specific skills of individuals in the organization at all levels and functions. In addition to the traditional classroom lecture type of training, the ICAP departments engaged in some uncommon methods of training for police departments. These included retreats for management personnel, site visits by personnel to other cities to review pro-

grams on a firsthand basis, and the use of "cluster meetings." The cluster meetings involve key department personnel in a specific area gathering to share experiences in one specific aspect of the program, such as crime analysis, patrol operations, training, communications and evaluation. It was believed that the expense of the meeting would be offset by program improvements resulting from knowledge gained in the meetings.

In addition, the participants were able to establish ongoing personal and professional relationships that permitted ICAP departments to call upon a wealth of expertise and experience to solve planning and implementation problems.

During the past 10 years, a fundamental change has been taking place in the role of training in police organizational development. Training is no longer "nice to have if the budget can accommodate it." It is becoming a basic tool for increasing the effectiveness of the police organization.

In the past, police training focused primarily on simplified procedures, techniques and processes to support day-to-day police line operations in a society where the police officer was charac-

...NewsBriefs...NewsBriefs...NewsBriefs...

Police ride herd on Buffalo crime, doing more with less

The Buffalo Police Department is answering more calls with fewer officers than it did in 1977, according to statistics gathered by the Buffalo Common Council, the city's governing body. The study shows that the average officer handled 509 calls in 1981, up from an average of 361 calls each in 1977.

That finding, released as the council wrapped up its budget for the 1982-83 fiscal year, doesn't surprise Commissioner James B. Cunningham.

"That's true all over the U.S.," Cunningham said. "This is something we've faced since 1976, not something that started with one shot."

The Buffalo Police Department now has 1,076 officers, down from more than 1,400 officers six years ago, Cunningham said. But the commissioner stressed that the department has been able to hold down crime despite the decrease in man-

power. Every major crime category shows a decrease in crime, with violent crimes down 22.5 percent and property crimes down 17.1 percent, he said.

"We're doing a great job of putting the men where we need them," Cunningham said. "The key is getting men in the right position at the right times."

To deal with the rising demand on patrol officers, the Buffalo department has reassigned officers from other bureaus, so that the traffic and detective divisions have been hurt most by the cutbacks, Cunningham said. It also has slashed "non-police" jobs in the administrative area.

Buffalo has also investigated other ways to cope with the increase in calls and decrease in sworn personnel, including reporting crime by telephone, a system where calls are ranked so that top-priority calls are handled first. But it declined to adopt any such measures, because, in the words of one officer, "there's a lot of objection to any decrease in service, both from the public and from the officers."

Cunningham said the problem seems to have leveled off, and he expects no further cut in police personnel in the coming fiscal year. "The same people who cut us by 400 men are the ones who issued this report," he said. "If they're concerned about the problem, they can solve it."

Maryland police planners meet to form statewide link-up

Representatives of 10 Maryland law enforcement agencies have formed a statewide planning group designed to improve communication among those involved in police planning.

The group's founders, who have met twice, said the meetings will be used to pass along information concerning planning and to help planners get to know each other.

"Each department was out there working in its own sphere, in many cases duplicating each other," said Donald House, a civilian with the Baltimore County Police Department's planning unit. "We felt the need to increase communication."

The group, which will meet quarterly, will discuss topics including accreditation standards, measuring officer productivity, legislation affecting law enforcement agencies, such as the current move to ban the use of radar in Maryland, and the disposition of narcotics cases.

It probably will not get involved in lobbying the legislature or in other advocacy roles, House said.

Departments taking part in the group include Annapolis, Baltimore City, Cambridge, Laurel, Baltimore County, Hartford County, Howard County, Montgomery County, Prince George's County and the Maryland State Police.

Hartford review board moves ahead over chief's objections

The City of Hartford's new police review board, established in February over the objections of Chief George Sicaras, has so far satisfied the Human Relations Commission that pushed for it, despite recent reports in the local press labeling the board a "paper tiger."

The Hartford Courant reported on May 17 that Sicaras had gained substantial control over the review board, saying that he had closely reviewed candidates for the three civilian posts on the seven-member Internal Affairs Review Board,

and vetoed one nominee.

But Director Ronald Fletcher, whose Human Relations Commission will supply the three civilian members, said Sicaras' influence on the selection of members does not surprise him or subvert the board's purpose.

"It's not as though the chief has authority to go to the community and select members from his own pool of candidates," Fletcher said. He said the Human Relations Commission submitted the names of nine of its members to City Manager Woodrow Wilson Gaitor, who then reviews the names in conjunction with Sicaras before making appointments to the board.

Since Sicaras can only influence the choice among so few names, Fletcher said, he cannot exert undue pressure on the board, which advises the chief concerning cases being investigated by the Internal Affairs unit.

"One of our concerns was that the whole internal affairs process needed to be opened up," Fletcher said. "I believe that by naming non-police personnel to the police board it establishes greater credibility."

Minority groups in Hartford began pushing for the review board after a black city resident was accidentally shot by a white police officer in 1980. They originally sought a civilian review board that was independent of the police chief.

Sicaras, who became chief after the shooting, has opposed the formation of a civilian review board. He was suspended as chief for five days after speaking out about the review board at a public hearing, although the suspension was reversed the day after it was issued.

Report blasts CJ officials as 'estranged' from minorities

A minority advisory council established by the Justice Department recently issued a report charging that the criminal justice system routinely discriminates against blacks, Hispanics, American Indians and Asian-Americans, and that officials within the system "re-

main stubbornly inattentive and estranged from the minority community."

The 410-page document, which includes 75 recommendations to improve the treatment of minorities, is the result of a four-year study by the National Minority Advisory Council on Criminal Justice, a group headed by Dr. Lee P. Brown, formerly Atlanta's Commissioner of Public Safety and now police chief in Houston.

Its recommendations range from training police recruits to be more ethnically sensitive to enacting a legally binding bill of rights for prisoners.

The report says the changes are necessary because minorities are more likely to be suspected of crime, convicted and sentenced to long terms than are whites. It states that 25 percent of the prisoners in Federal institutions are minorities, and that while minority groups make up 22 percent of the country's population, only 4 percent of the police, lawyers, judges and correctional officials come from those groups.

Among the report's recommendations are:

- ¶ Creation of civilian commissions to monitor police operations.

- ¶ Banning the use of deadly force by officers except in cases of "clear and present danger" to the life of the officer or a bystander. It would also prohibit off-duty officers from carrying firearms.

- ¶ The formation of a Justice Department task force to investigate accusations of police brutality directed against minorities.

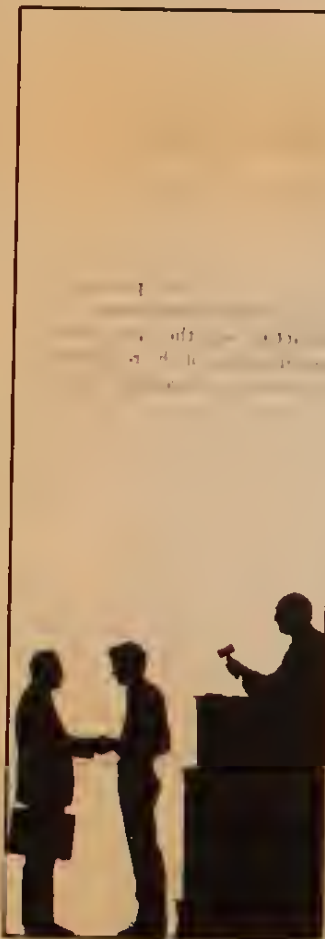
- ¶ Withdrawal of Federal funding from police departments or cities with a large number of reports of police misconduct.

- ¶ Hiring more minorities and promoting them to leadership positions so that the percentage of minority officers is roughly equal to that of minorities in the community.

- ¶ A moratorium on the construction of new prisons to allow for a study of alternatives to incarceration.

- ¶ Due process for illegal aliens facing deportation.

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Dallas force loses a King, but gains a Prince

After a 38-day search that included interviews with candidates from Gainesville, Fla., to San Jose, Calif., the Dallas city manager has named Billy D. Prince, a 17-year veteran of the Dallas force, as the city's new police chief.

Prince, 39, had been an assistant chief in charge of the patrol bureau. His appointment pleased members of the Dallas Police Association and others who had urged the city officials to hire someone within the department.

Prince's appointment sharply contrasted with the recent hiring of Lee P. Brown in nearby Houston, where the

Police Officers Association strongly opposed Mayor Kathy Whitmire's decision to hire someone from outside the department. Brown had been Atlanta's Public Safety Commissioner.

Prince said he agrees that hiring an outsider as chief can pose problems. "For someone to come in here from outside, it would take them no less than a year to get familiar with the needs of the department, to get a feel for it," he said.

"When you go outside, it certainly has a negative impact on morale."

But Prince, who was chosen over such contenders as Chief Atkins Warren of Gainesville, Chief Joseph D. McNamara of San Jose, Chief Charles Strobel of Alexandria, Va., Director Hubert Williams of Newark, and six candidates from inside the department, doesn't dwell on the choice. As one of the youngest chiefs in the department's history, Prince said he is ready to tackle the job.

"Everybody keeps telling me I'm young, but I certainly don't feel too young," Prince said. "There is no question in my mind that I'm ready for this challenge."

Prince said he will be a "controlled innovator" in his approach to the job, explaining that he "will not necessarily maintain the status quo, but will not run amuck in whirlwind changes."

Among his goals, he said, is "to try to do something about crime."

"Every law enforcement agency around the country is having a hard time doing that, and there's no proof that we



Dallas Police Chief Billy D. Prince

can do better," Prince said. But he added that he will search out and experiment with innovations in crime control in an effort to battle crime more effectively.

He said he also hopes to make the police department more "service oriented."

We've got to get this 'stranger' relationship broken down so the public will work with us," he noted.

Another goal is to improve relations with the officers in the field and raise morale. "They are the backbone of the department, just like the textbooks tell us, and they need to be treated like it," Prince said.

The new chief said his work with the

patrol bureau should help him in realizing that goal because the officers know him. "I think I've got their respect and they know how I feel about things. Now they're looking to see what actions I'll take, whether it backs up what I say."

Police Association president Dick Hickman said Prince can expect the officers to back him up. "I'm sure the troops will give him their support," he said.

One of the challenges facing Prince is the prospect of the Republican National Convention, which will be in Dallas in 1984. He said he wants to make sure it will "run smoothly and enhance the reputation of the Dallas Police Department."

Prince, who took office on May 4, already has faced his first challenge. The Dallas Gay Alliance staged a protest against the police department after several patrons at gay bars were arrested for drunkenness. Prince set up meetings between leaders of the Gay Alliance and police officials "to improve dialogue between the two groups."

Prince, whose appointment came after his predecessor, Glen King, resigned for health reasons, has commanded the communications, internal affairs and southwest patrol divisions. He also has served in the community service, training and education and the crimes-against-property division.

Sgt. Charles L. Lynch, a 20-year veteran of the department who had applied for the chief's job, was not interviewed for the position.

Scramble starts to succeed Camp

A caucus of black aldermen in St. Louis has urged that city's Board of Police Commissioners to "strongly consider" the qualifications of six black candidates for the job of police chief.

The board is expected to name a replacement for retiring Chief Eugene J. Camp by early June from a group of 12 finalists for the job. Half of those finalists, all of whom are from within the department and hold the rank of captain or above, are black.

Alderman Steven C. Roberts, chairman of the Black Caucus, said the caucus wrote each member of the police board in early May. The letter said in part, "We believe that the type of sensitivity that is necessary for improved and fair police protection for all segments of our community could evolve out of one of the very qualified black officers that you are considering for the position." The letter backed no particular candidate.

Roberts said the members of the caucus are interested only in seeing the best candidate selected. "I think that for the first time in the history of the process for selecting the police chief, you have a process that will allow the best qualified person to be chosen," he said.

St. Louis, about half of whose residents are black, has never had a black chief or assistant chief, although the police board has had one black president.

Roberts pointed out that 70 to 80 percent of the crime in St. Louis is committed in black communities, much of it by black offenders.

The St. Louis Post-Dispatch reported that the caucus had threatened to use its budget-approval powers to insure the selection of a black police chief, but Roberts said he doesn't think the caucus "will resort to threats."

The Board of Aldermen must approve the Police Board's \$74.6 million budget for the 1983 fiscal year.

Lieut. Arthur Coffey, secretary to the police board, said he agrees that the procedure for selecting a chief is fair. The candidates are required by state law to be from within the department, and must undergo evaluation by an assessment center sponsored by the International Association of Chiefs of Police.

Chief Camp will reach the mandatory retirement age of 65 on July 24. He has been chief for 12 years.

Manning the barricades:

Roadblocks gain as anti-DWI strategy

On a busy street in Montgomery County, Maryland, a police officer is stopping traffic. He approaches a car, quickly sizes up the driver, then says, "Good evening, sir. This is a routine sobriety checkpoint for drunk drivers. Sorry for the inconvenience."

Within seconds, the driver is again on his way and the officer is greeting the next driver in line. Occasionally, a driver with the smell of whiskey clinging to his breath or one whose half-closed eyelids cover bloodshot eyes is asked to pull over to the side of the road and complete several field sobriety tests.

About 35 drunk drivers are arrested at such sobriety checkpoints in Montgomery County each month, and officials there report that the number of alcohol-related accidents in which someone was injured seriously enough to require an ambulance has dropped each of the last four months, from 10 in January to 5 in April.

The success of programs like the one in Montgomery County — the constitutionality of which was recently upheld by a Maryland Circuit Court judge — and a rising tide of public sentiment against drunken drivers have led dozens of law enforcement agencies to set up roadblock sobriety tests and many others to consider such programs.

Montgomery County's neighbor, Prince George's County, began using roadblocks shortly after the Montgomery County program was put into effect, using similar guidelines.

St. Louis County, Mo., police are currently studying the use of roadblocks and could make a decision on their use within the next 30 days.

And in New York, a task force on drunk driving set up by Gov. Hugh Carey in-

cluded the use of roadblocks among its recommendations for making the roads safer. Carey accepted the report and at least two jurisdictions are now using roadblocks.

Those who support the use of roadblocks to combat drunk driving say they are an efficient, highly visible tactic, more effective than relying on officers to stop drivers who have violated traffic laws.

"The public realizes that within the

states where this is a full-time program, something is being done to save countless lives," said Capt. John Baker of the Montgomery police, who has testified in defense of the program in more than 70 drunk driving cases.

But detractors say they are worried about possible abuse of the roadblocks, and at least one law enforcement agency tabled plans to employ them for fear that roadblocks would create more problems

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Keeping their Derby dry



Wide World Photo

A security officer at the Churchill Downs racetrack in Louisville, Ky., empties a liquor bottle confiscated from a fan prior to the start of the annual Kentucky Derby on May 1. The track prohibits spectators from bringing in bottled beverages.

People & Places

Bench-warming

A Milwaukee police officer who was fired when he ran for the position of municipal judge has been reinstated and placed on leave of absence until his judicial career is over.

John Siefert, 32, was elected municipal judge in 1979. He was fired from the Milwaukee force for violating a departmental rule forbidding officers from seeking or holding public office.

The city's Board of Fire and Police Commissioners reinstated him on April 12, citing a city ordinance requiring that officers be granted unpaid political leave on request, Siefert said. He said he has no immediate plans to return to his job on the police force.

Rebounding from post-shooting trauma to 'Officer of the Year'

Two years ago, Aberdeen, Wash., Sgt. Larry McCluskey went through a series of shootings and attacks that included the death of a suspect. He came out of them shaken and suspicious, and eventually retired on disability pay and moved out of state.

This month, six months after returning to the department, Sgt. McCluskey was named Police Officer of the Year for the Aberdeen area.

The 31-year-old McCluskey attributed the turnaround to his conversion to Christianity.

"I was able to look at things a lot differently. . . I re-analyzed everything I had been doing," McCluskey told

Associated Press.

He said he realized police work had hardened him.

"You don't ever get to just stop and visit with a little kid at a lemonade stand," he said. "All you are doing is talking with these people so you can put them in jail."

McCluskey's disillusionment with police work began in April 1980, when two suspects in the death of an officer were chased to Aberdeen and stopped. One of the suspects drew a pistol as officers closed in, aiming at McCluskey. McCluskey, armed with a shotgun, fired and killed the suspect.

In the months that followed, Mc-

Cluskey survived shooting incidents and an attempt to run him over. The stress contributed to his divorce, and he became nervous and sleepless.

Finally, AP reported, his fellow officers told supervisors that he was becoming too paranoid to be fit for duty. McCluskey retired, remarried and moved to Oregon.

"There is a lot of emotional trauma that goes on in the officer who shoots someone because, the moment you pull that trigger, you had better be right. It is scary, and you need to talk to somebody."

As a Christian, McCluskey says, he's better prepared to handle the job.

"I have more compassion now than I ever did before. Before, I really wasn't interested in what made him do it. Now I see that there has to be a reason, so I talk to him, see if I can't help solve the problem."

Playboy postscript

Barbara Schantz, the Springfield, Ohio, police officer who posed nude for Playboy magazine, has worked out a compromise with city officials that will allow her to remain on the police force.

Under the agreement, city officials rejected a recommendation to fire Schantz, instead suspending her for 37 days. In return, Schantz agreed to drop a \$1 million Federal lawsuit she had filed against city officials, and also issue a public apology.

Doug Radel, a male officer who appeared fully clothed in some Playboy photographs showing him on the job, was suspended without pay for five days.

Schantz's public apology said she was sorry to have caused embarrassment or unfair publicity to the community, but added that she didn't think she did anything wrong.

She will return to duty June 15.

Accreditation standards set for field-testing

Continued from Page 1
that."

Hastings said the commission was able to operate effectively because members received proposals at home in time to get other opinions before attending the meetings. Subcommittee work also smoothed out some details before full meetings, he said.

During the testing procedure, the standards will be applied to law enforcement agencies of various sizes across the country. The standards will then be amended to answer any problems revealed by the field-testing.

The development of the accreditation standards was funded by the now-defunct Law Enforcement Assistance Administration.

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By AVERY ELI OKIN



From their unique vantage point the Supreme Court Justices often see and hear about society's problems in their worst light through persuasive briefs and dramatic oral arguments. As a result, the Court's decisions all too often contain fact patterns which do not spare the court-watcher the most vivid details of horrible crimes.

In one area, however — where the victims of crimes have been children — the Supreme Court decisions have shown some restraint. Unfortunately, the Court increasingly has had to deal with cases which define the protections to be afforded to children involved in criminal conduct, as well as the suffering of child victims.

Earlier this year, the Court placed on its calendar three "children" cases. Each case is now in a different stage of development, with the first just docketed, the second in oral argument and the third recently decided. These three cases are discussed below.

Child's Right to Sue

Appearing on the Court's docket, but not yet scheduled for oral argument, is a case to determine if a surviving child may sue under a Federal statute to obtain compensation for the wrongful death of his father, who was shot by a police officer.

Either through a state constitution or through specifically-enacted statute, most states provide a civil remedy, usually an action for money damages, for a wrongful death. In essence, an action for wrongful death is usually brought by a surviving family member to recover damages from the person or legal entity whose wrongful act or neglect resulted in the death.

In the present case, the State of Colorado had on the books a wrongful death statute which provided for monetary damages to surviving family members, although limited to "net pecuniary loss." That is, in Colorado the wrongful-death statute did not provide monetary compensation to survivors for the termination of the family relationship.

Aware of the limitation of the Colorado statute, a personal representative of the deceased, along with the deceased's children brought an action under Title 42 U.S.C. §1983 to recover for the termination of the familial relationship. For a violation of 42 U.S.C. §1983 to be established, it must be proved that a person who was acting "under color of any statute... causes to be subjected any citizen... to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws..." The survivors in this case alleged that the Denver police officer was acting under color of his authority when he deprived the deceased of his life by shooting him.

The Colorado Supreme Court found merit in the survivors' claim, ruling that the Colorado wrongful-death statute

does not bar the surviving child from bringing an action under 42 U.S.C. §1983 for a recovery based on the harm suffered from the termination of the father-child relationship. The Colorado Supreme Court had also ruled that the surviving child could be entitled to collect punitive damages in addition to a compensatory award if it could be proved beyond a reasonable doubt that the police officer had acted maliciously or "with wanton disregard" for the surviving child's rights.

The appeal to the U.S. Supreme Court was based upon the view, urged by the City of Denver, that a child has no "constitutional liberty interest" in the continuation of the familial relationship. In bringing the appeal, the appellant relied on the 1974 case of *Evans v. Conlisk*, 498 F.2d 1403. In that case, the United States Court of Appeals for the the Seventh Circuit ruled that a daughter did not possess a constitutional right maintainable under 42 U.S.C. §1983 for the allegedly wrongful death of her father by police officers. A further stated justification for the appeal is to prevent "the opening of a Pandora's Box of newly derived and limitless §1983 claims with limitless damages."

Oral argument in this case, which will probably be heard in the final oral argument session of this term, is likely to revolve around the question of whether the action by a child may be brought under 42 U.S.C. §1983 to seek damages for the termination by a police officer of the child-father relationship. Also in

question will be whether the Colorado wrongful-death statute acts as a bar to any other action for wrongful death. If the Supreme Court determines that the action in this case may properly be brought, the Court will also be asked what damages specifically are recoverable. (*O'Dell v. Espinoza*, No. 81-534, certiorari granted December 14, 1981.)

Child Pornography.

During the oral argument session held in April, the Supreme Court devoted an entire hour to the question of whether a state can ban the distribution of films, magazines and other material which show children engaged in sexual conduct but which are not obscene. Such works involving children might appear in magazines and in serious works in the

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DC recruit-testing raises drug-history questions

In Washington, D.C., last month, 39 police recruits were suspended for alleged marijuana use, having failed a sophisticated urinalysis that officials claimed could detect any marijuana use within the past seven years.

Amid accusations that the test was mishandled and the results were unreliable, Police Chief Maurice Turner agreed to test the recruits a second time, and more than half of those accused of marijuana use were found to be drug-free.

Eventually, Turner reinstated 24 of the recruits and acknowledged that he had been mistaken about the test's detection power — it can detect marijuana use only within the past seven to 14 days.

Fifteen recruits are still on leave pending further investigation.

The Washington incident, the first public test of a new procedure for detecting marijuana use, raised a myriad of questions about testing officers for drug use. Those questions may be asked more

and more frequently in the future, because while few police departments now use the marijuana test, it has been widely marketed only since September and is gaining acceptance in business, prison systems and the military.

The debate over the test's use, as demonstrated in Washington, centers on whether it is reliable and fair. Critics charge that the test sometimes showed positive results for someone who inhaled marijuana smoke at a concert or party. When Turner mistakenly claimed the test could detect use up to seven years in the past, the Fraternal Order of Police charged that he was trying to purge the department of even those officers who had experimented with marijuana in their youth.

Turner countered those objections by saying that he sought only to detect marijuana use after the recruits began their 21-week training period. He said the experimental use of marijuana, such as in college or while serving in Vietnam, would not disqualify recruits.

Most large police departments seem to agree with that position, opting to use background checks or polygraph tests to detect drug abuse in potential recruits. Few departments routinely administer marijuana tests either to recruits or officers, although some use the urine test if erratic behavior or other factors give them reason to suspect a particular officer.

Many departments surveyed by Law Enforcement News said they wouldn't be interested in testing for marijuana use seven years ago even if such a test existed.

"What good would it be if you could?"

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Two recruit-hungry cities ease standards

While the Washington, D.C., Police Department has turned to the use of urine tests to crack down on recruits who smoke marijuana after they are hired, two other large police departments have relaxed their rules on hiring former smokers.

The New Orleans and Fort Lauderdale police departments have announced less restrictive rules against past marijuana use, saying they need the recruits to fill their ranks.

In New Orleans, where the change has been in effect several years but only recently attracted attention, the department will accept recruits who have not smoked marijuana for three months before applying. It previously stipulated that recruits could not have used the drug for a year.

Fort Lauderdale has tentative plans to remove from its application forms wording that disqualifies a candidate who admits having used

marijuana within six months.

Officials from both departments said the change is necessary to reflect the fact that more and more young people are using marijuana.

In Fort Lauderdale, officials say they hope the change will attract more candidates to the department, which now has 54 vacancies.

New Orleans and Fort Lauderdale are not alone in the move toward easing such restrictions. A recent Associated Press survey indicated that major law enforcement agencies, including the Federal Bureau of Investigation, are moving toward less stringent requirements.

The survey indicated that many police officials report no evidence that past marijuana use affects police performance, although no department sanctions use after an officer is hired.

A history of other drug use is still universally accepted as grounds for rejection, the survey said.



Edited by Joseph J. Grau

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Redefining the nature and role of police training

Continued from Page 1

teristically viewed as a law-and-order figure. Today, the maturation of the police function, coupled with the emergence of research into the efficacy of police operations and practices, has fostered a new approach to police training as a key element in organizational development. Furthermore, the rapid growth of new technologies, the automation of information and the introduction of entirely new police concepts have all combined to underscore the need for an orderly and structured management of the change process in police agencies.

Initial and continued support of a sound and innovative training program not only assures that needed skills are emplaced, but also enables the police manager more effectively to control an agency's progress in attaining stated goals. Thus, training is one management tool used to develop the full effectiveness of the police organization's most essential, available and valuable resource: its people. The function of training, then, is to bring about the behavior changes required to meet management's goals.

Function vs. Operation

While a police organization may be able to forego the luxury of a vast training operation, it cannot afford to ignore the necessity of the training function. The distinction between a "training function" and a "training operation" is critical for subsequent discussion and an understanding of the approach to training taken here. The training function is a subsystem within the police organization

that brings about controlled behavior change. The training operation is the mechanical means for carrying out the training function. There are a number of individuals throughout the department, from the commander or chief of police to the line supervisor, who are responsible for the training function; as such, training is a responsibility shared by all members of the police organization.

On the other hand, the training operation is normally headed by a designated full-time training officer, with a staff sufficient to carry out the department's ongoing formal training activities. Confusion between the formal means of training and the function of bringing about behavior change is one of the chief reasons why police managers often fail to use training to its maximum effectiveness. Within the ICAP framework, training is considered an essential function that serves the entire department by maintaining performance standards and facilitating the organizational change process. The ICAP training function then is viewed as a subset of the overall police system.

Despite the progress made in the past decade in developing police training programs and in recognizing the necessity of training for organizational development, many existing police training programs have fallen short of meeting the agencies' training requirements. In many cases, the initiative to develop police training programs has come from the state legislatures rather than individual police departments.

Generally, most police training programs are oriented toward skills development, and focus attention on three major types of training:

¶ **Recruit Training** — Concerned with the orientation of newly hired police officers to the technical and procedural ramifications of their job. Overall, the focus is on development of basic police skills (e.g., patrol, investigations, firearms) and the creation of a sense of purpose and an awareness of the role and function of the police officer in the community.

¶ **In-Service Training** — Concerned with that aspect of the department training program which provides refresher courses and presentation of additional police skills to currently employed police officers. In-service training is an ongoing process where officers are provided with updated material, techniques or approaches, changes in department policy concerning certain operations, and sharpening of those skills originally developed through recruit training.

¶ **Management and Supervisory Training** — Concerned with the development of skills for upper echelon personnel. Perhaps the least emphasized aspect of the police training function, management and supervisory training has traditionally focused on the promotional aspects of police positions, with sporadic emphasis on building the requisite managerial capabilities integral to organizational continuity and development.

The Numbers Game

Far too often, police training has been considered and expressed in terms of sheer numbers — specifically the number of hours or courses offered to officers. The problem stems from the fact that while most administrators are in favor of training and most police employees desire more training, police administrators have had difficulty in defining meaningful training programs and determining how they should be ac-

complished.

Overall, there is a wide range of specialized police training programs directed at various positions and functions within the department. Despite this scope, most attention is focused on recruit training. The quality of recruit training programs has increased measurably over the last decade, yet a number of factors associated with training in general have hampered these efforts. These factors would include:

¶ **Overreliance on Facts** — Police performance is constantly translated for the training classes into very narrow pieces of information. For instance, patrol is presented and characterized as a series of simplified procedures rather than as a form or concept of total police-service delivery. Absolute facts and pieces of information are presented for consumption and regurgitation by the trainee in the form of detailed tests. Very little regard is given to the relationship these facts bear to the overall concept of policing or patrolling in general.

¶ **Role of Trainees** — Police trainees are generally forced to take a passive role in the training process. The emphasis often seems to be on the establishment of an aura of authority in the classroom setting. On the whole, trainees are led to believe that there are standard answers and solutions and that the role of the police is simple and straightforward rather than complex and multifaceted.

¶ **Lack of Imagination** — Training programs generally suffer from a dearth of imaginative approaches. Characteristically, material is presented in a straightforward fashion, and the overreliance on facts, procedures and accepted techniques has forced the police trainer to concentrate more on content and less on approach and presentation. Attempts to carefully blend both have resulted in more meaningful and lasting effects.

¶ **Field Training Programs** — The emergence of field training programs has enabled training officers to bridge the vast gap between classroom and field experience and has further enabled departments to monitor progress and correct obvious deficiencies of trainees prior to permanent assignment to a department division. However, field training programs have suffered from a number of problems, namely overemphasis, short duration, lack of continuity with department policy, and a general lack of training on the part of the field training officers themselves.

Enhancing Decision-Making

The most effective approach to the management of police services is one that is based upon a clear recognition of the need for systematic planning and analysis of information to support the police decision-making process. The police manager, from the chief of police to the patrol supervisor, is constantly faced with the need to make decisions. Regardless of the number and scope of the decisions that are made, the process of making a decision must be based upon an overall model or approach that enables the police manager to consider and weigh the possible consequences before taking action.

The implementation of an ICAP program requires that participating departments develop or enhance their approach to the management of all police services through the establishment of a departmentwide decision-based model characterized by: formal planning; empirical information and structured methods; measurable decision com-

ponents subject to manipulation based on feedback; operational identity of an analytical capacity, and prediction-oriented, active, empirical perspective.

In addition to the introduction of a decision model with the department, ICAP includes within the decision-model framework the implementation of certain key program components such as crime analysis operations, managing patrol operations, managing investigations, and special emphasis on the identification, apprehension, and conviction of the serious, habitual offender or career criminal. As a result, ICAP implementation requires a police department to commit itself on a long-term basis to a comprehensive change process. Clearly, the training function plays a major role in this change process, especially where the comprehensive nature of the program requires considerable behavioral change.

For line officers, ICAP implementation requires intensive training in such skills as field reporting, conducting field investigation and interviewing witnesses. For police managers, program implementation not only involves certain skills training but also includes the preparation of line supervisors and command personnel for effectively managing department resources. This represents a considerable departure from normal training programs. Within the ICAP framework, management training focuses on affixing responsibility and authority for decision-making within the organizational structure, especially for those decisions related to allocation and deployment of resources and managing the calls-for-service workload.

Training Middle Managers

The implementation of ICAP within a department means that a greater level of decision-making authority will be given to middle managers. Management or supervisory training is intended to help the patrol supervisor adapt to his new role and assume additional responsibilities. Specifically, the training program will need to address the following:

¶ **Supervisors** will need a better understanding of administration policies. In addition, when a major effort such as ICAP is to be implemented, the supervisor must be knowledgeable about the program in order that he be both willing and able to implement the program and provide an explanation of specific program activities to his officers (orientation).

¶ **The role of the middle manager** must be fully defined to facilitate the assumption of additional responsibilities. To the extent possible, tasks inherent in the new role and performance criteria by which the supervisor and his officers will be assessed should be specified (role definition).

¶ **An attitude change** may be needed to allow the middle manager to accept a supervisory role and make the necessary adjustments in his relationships to his subordinates. He must begin to identify with management and see his role in the decision-making process of the department (attitude change).

¶ **With additional decision-making authority and responsibility**, the patrol supervisor must be able to analyze and use available information (analytical/decision-making skills).

Supervisory training also must deal with the problem of developing a proficient officer into a manager. It cannot be assumed that a successful officer has the skills necessary to direct other individuals.

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About the Author:

FRANK P. CAREY JR. has been the chief of police in Boca Raton, Fla., since April 1981. Prior to that he had been ICAP program manager for the Norfolk Police Department in Norfolk, Va., since 1976.

Chief Carey started his law enforcement career with the Chicago Police Department and the Cook County Sheriff's Police in 1963 and spent a portion of his career on various leaves-of-absence from the



Chicago Police Department while sampling various other law enforcement experiences.

During his career he has earned a B.A. in sociology from St. Joseph's College in Indiana and an M.P.A. degree from Golden Gate University in San Francisco. Prior to being appointed chief of police in Boca Raton, Carey graduated from the first Senior Management Institute for Police held by the Police Executive Research Forum.

Interagency teamwork cuts off illegal alien problem at the pass

A new program that teams up city police officers and U.S. Border Patrol officers in El Paso, Texas, is getting rave reviews from officials on both sides.

The Border Patrol's local chief reports that about 3,000 illegal aliens have been arrested in the program's first three months, while the El Paso Police Department boasts the arrests of the 25 to 30 felons and about 300 persons charged with misdemeanors.

"It's working beautifully," said Alan Eliason, chief patrol agent for the Border Patrol. "It has enhanced our image, particularly with the merchants and shopkeepers in the downtown area, as well as proving effective in locating illegal aliens."

"It's a very good program," echoed Capt. Bill Long of the El Paso force. "It's been very successful so far."

The program that has the police department and border patrol crowing is simple. Each agency provides seven or eight officers for foot patrol in the central downtown area of El Paso. Working in teams, the officers are able to overcome the gaps in jurisdiction that sometimes cripple each agency working alone.

"An El Paso officer can't stop someone to check his papers, so by having them accompany us, you're kind of killing two birds with one stone," Long said.

The problem of illegal aliens in El Paso is acute, since the city of 400,000 lies across the Rio Grande from Ciudad Juarez, Mexico, a city of nearly 1 million.

"All we have between us is a river which is wadeable to any point," Eliason said.

El Paso's proximity to Mexico means

that many of its residents are of Mexican descent and that many Mexican citizens legally cross the border every day. An illegal alien can wade the river and slip into the crowds of downtown El Paso so quickly that "we'd have to form a line of officers standing shoulder to shoulder in the river to catch them," according to the Border Patrol chief.

So when the El Paso police faced dwindling resources to maintain foot patrols in the downtown area, they asked the Border Patrol to join forces. The teams of city police and border police began patrolling in February.

The arrest statistics have sold both agencies on the program. During three days in April, the joint patrols arrested 267 illegal aliens, two Americans who were smuggling a total of 15 illegal aliens into El Paso, seven persons charged with public intoxication, one charged with theft, four charged with disorderly conduct, two with automobile burglaries, three with chemical intoxication, two charged with Class A assaults and one charged with aggravated robbery.

"The cooperation between officers has been good," Capt. Long said. "They wear different uniforms, but other than that, you can't tell them apart. The Border Patrol officers chosen for this assignment are all former police officers, so they know what it's like to be a municipal police officer."

But while officials in El Paso are convinced of their program's merit, some police officials say joint patrols are not the solution for their cities.

One such police executive who wrestles with the problem of illegal aliens, Chief



Wide World Photo

El Paso police officer Norman Moutien (l.) and Border Patrol officer John Hubert walk their beat in the downtown area of El Paso.

Ray Davis of Santa Ana, Calif., said his department works with immigration officials on one-time projects, but that he would not consider a permanent program.

Davis said his city, which is 85 miles from the Mexican border, has a large Mexican population, but that the city's police officers are not empowered to en-

force immigration laws. Their duty is to protect city residents, Davis said, and they need the cooperation of Mexican-Americans to do that.

"If we do too much work with the immigration officials, that destroys the rapport between the police and the Mexican community," Davis noted.

The sobering experience:

Roadblocks gain in favor as drunk-driving deterrent

Continued from Page 3
than they would solve.

"That kind of forced examination, wholesale stopping and searching raises some very serious questions about potential abuse," said Barbara Shack, a lobbyist for the New York Civil Liberties Union. "It has the overtone of sort of a Gestapo society that we're not used to in this country."

Capt. Baker says the most convincing evidence in favor of roadblocks is statistical. When Montgomery County began stopping drivers last fall, 74 arrests for drunken driving were made within a month. Now officers arrest about 35 drivers a month, even though they spend twice as much time operating the roadblocks, which Baker says is an indication that fewer drunk drivers are on the road.

The program is successful because of its visibility, Baker said. Surveys of drivers stopped in Montgomery County show that they tell an average of 15 other people each about their experiences at the roadblocks. Since up to 5,000 cars can be stopped in one night, Baker said, word of the program spreads quickly.

Paul Meyers, an administrative officer in St. Louis County, said stopping cars with roadblocks is safer, since drunken drivers who are stopped at a roadblock are less likely to cause an accident or attempt to speed away than drivers pulled over individually.

The program's "general deterrence" is its biggest asset, according to Dick Smith, director of New York's Office of Alcohol and Highway Safety. He said the most effective programs are the ones that convince drivers that they're going

to be caught if they drive while intoxicated and that punishment is going to be appropriately swift and severe.

"Roadblocks would get people believing that the certainty of apprehension would increase," he said. "The rest would soon follow."

Ms. Shack of the New York Civil Liberties Union said the courts will have to determine the constitutionality of roadblock tests, but that she is uncomfortable with their use, particularly where proposed legislation would give officers the authority to apply Breathalyzer tests on the scene.

"The roadblocks are intrusive in a way that offends a notion we have in this country that a person can move freely, without being stopped unless he is committing some violation."

"We are as concerned as anybody about the drunk driving problem," she said. "The question is how to solve the problem and this solution raises different problems."

The Wisconsin State Patrol dropped plans to use roadblocks in early May, saying their studies suggested that roadblocks could create traffic jams and accidents and panic drivers.

Patrol officers added that they were worried that officers might not be prepared for emergencies created by the roadblocks, such as a driver who might try to escape a roadblock for fear of detection for a more serious crime.

The legal precedents for roadblock checkpoints indicate that while roadblocks can be operated, strict criteria for their use must be followed.

In the Montgomery County case, a driver stopped at a roadblock was

charged with driving under the influence of a drug and four counts of possession of a controlled substance. The defendant sought to have the charges dismissed, claiming that the roadblock and a subsequent search of his car invaded his privacy.

The judge ruled that the Montgomery County roadblock was legal because it had strict confines:

¶ All approaching traffic was stopped, but if a back-up of ten cars occurred, the roadblock was discontinued for safety reasons. This prevented officers from stopping cars or letting them pass according to their own discretion, thus insuring that the tactic was applied equally to all drivers. Lower-level court rulings had prohibited officers from allowing cars to pass through the roadblock whenever they thought congestion presented a safety hazard, because the decision could be applied arbitrarily.

¶ The roadblock was clearly marked by patrol cars with emergency lights flashing.

¶ The officers operating the roadblock were given clear, three-point instructions for determining if a driver was drunk. The officers first observed the driver's face and eyes and checked for alcohol odors, then could ask to see the driver's license. Drivers were asked to complete field tests for sobriety only if they indicated intoxication during the first two steps.

¶ The roadblock was set up only after "sufficient empirical data" indicated the need. The judge, quoting statistics presented by Capt. Baker showing that more than half the accidents in the area in the past three years involved alcohol,

ruled that the police had not arbitrarily chosen the location for a roadblock.

The judge ruled against Montgomery County on a second point, though, when he dismissed the charges of possession of controlled substances. He ruled that officers who searched the defendant's car after his arrest violated his privacy.

The ruling said two conditions must be met before a defendant's right to privacy can be waived: there must be probable cause to believe that the automobile contains evidence of a crime and an "exigency" excusing the requirements for a search warrant. Since a judge who could have issued a search warrant was available, the officers were not excused from seeking one before conducting a search, the judge ruled.

Baker, who has helped several other departments establish roadblock programs, said officials considering such a program should meet the requirements outlined in the court decision and suggested that officers be instructed not to ask questions of the majority of drivers stopped. A quick scan of the driver's face prevents unnecessary delays and keeps the program from becoming an inconvenience to the sober driver, he said.

The use of roadblocks in Montgomery County also recently received the seal of approval from a 29-member task force on drunken driving appointed by the county judge last summer.

The task force included the continued use of sobriety checkpoints in its 112-page report on how to reduce further the number of accidents caused by drunken driving.

Creating new policing tra

An interview with Charles Johnston, public safety director

LEN: Several years ago the Lakewood Police Department switched over from the standard blue coats to the rather non-traditional blazer uniforms. Is that still standard issue for Lakewood cops?

JOHNSTON: Just to kind of bring you up to date, we started with the blazer concept back in 1970 and we stayed with that as the principal uniform up until about '76 or '77. We began to phase it out only because it was not a practical uniform for a policeman. It's practical for a business person, but when you're out directing traffic and all these different kinds of things, the only thing you can buy is double knit and double knit snags; you go to light a flare, it burns. So when I became chief about a year ago, the blazer was only basically worn on medium-temperature days. If it was too cold, we had a car coat that they wore. If it was too hot, they wore just the regular police shirt. So I did away with that completely because it was a \$95 item that was hanging in their closets. We did away completely with it because it's not a practical piece of equipment. It was too costly and citizens don't care, really, what the policeman looks like. Does he do a good job? Does he come in, is he interested in what I'm doing? I don't care what he looks like. And so we did away with it.

LEN: That is a decided departure from the norm as far as most police departments and their uniforms are concerned. Are there other examples, perhaps more substantive, of innovation that is historical at Lakewood?

JOHNSTON: Yes, of course. Given the historical background of Lakewood — we were incorporated, the largest incorporation of a city in the United States, in 1970. Because we didn't have to deal with tradition and a lot of other problems, we were able to be very innovative and we have experienced with a lot of things. We've stolen from other departments, we've tried things — some of it's worked, some of it hasn't.

Basically, where we are now is that we're in a new generation, I think. Over the last four or five years prior to me coming in there, we were kind of in what we call a caretaker management role. We just really didn't have many outside national or state programs. Over the last year and a half, we've become more involved nationally and also locally within the state in coming up with new ideas and programs. One of them, in fact, the reason I'm out to the (FBI) Academy, is to talk about our press relations program and how we are marketing the police service as a product, as opposed to just simply dealing with the press. We have an extremely proactive program now and it's beginning to obviously catch on and that's the reason I've been asked to speak at the Academy. The concept basically is that we begin to sell a police department as you would sell a business product, working with the press. They have a particular problem, a particular set of things they need to deal with, and so do we. You

can do 10,000 things right — you do one thing wrong and it gets in print and people never see the positive things. So we sit down with the news people and we're generating information to them, newsy things, and some of it takes on a human interest, maybe a particular kind of burglary that has a funny kind of a quirk to it that helps us get information back as far as leads. People are interested in it, we get the publicity when we solve the case. I don't stand up in front of the TV and get the credit for it; the guy that breaks the case does. So it helps with the morale in the department. The community is just really behind it. So that's just one example of some of the things that we're doing.

LEN: In addition to, as you put it, marketing the press, do you also engage in similar marketing activities with the public?

JOHNSTON: It accomplishes that end, in the sense that the public sees it in the press and electronic media and we're covering both those media. In fact, in my dealings in the community, people will come up and say, "Gee, we're really proud of what we see." In fact, I got a call from a local chief and he said, "What the hell's going on out in Lakewood? Everytime I turn the damn TV on

their story, so I've got this man in the middle getting their questions answered. So that takes care of the large-scale things. As far as the day-to-day things, these people, they've got nothing to hide. They feel comfortable. A guy from the press will come up, they'll interview him, and he doesn't have any problem with it. So it's pretty well accepted.

LEN: In terms of your recruitment, you said you require a college degree as a bare minimum. To what extent does this draw your recruits or applicants from outside of Lakewood?

JOHNSTON: Almost totally. We just finished a recruitment trip about two weeks ago where we're going to be hiring 20 to 30 new agents. We've covered basically the Southeast, Central and Southwest parts of the country. Part of that is affirmative action. A demographic point about Lakewood is that we have less than one percent minority, but we're conscious about affirmative action, so we do recruit heavily in the Southern part for the Spanish and also for the black. We've got about 20 women on the department too, and of course sex means nothing as far as their ability to do the job, but as far as recruitment is concerned, we have to go nationwide. We

'We sell a police department as you would sell a business product, working with the press. They have a particular set of things they need to deal with, and so do we.'

or read the newspaper, you guys are in there. What the hell did you do, hire 50 more cops?" I said no, we haven't done anything different except publicize what's always been done in the past. The press is looking for stuff, they put a particular slant on it to make it newsy and we're getting the information out. So the community's benefiting from it in the sense that they can see what their police department's doing. We don't sensationalize anything; we simply report it as it is and they tend to see the positive things that happen in the police department.

LEN: Are there any problems inherent in having the officer who's most directly involved in the case serving as the department spokesman on TV or in the papers? That also seems to be a departure from the norm.

JOHNSTON: At this point, I can say no. Of course, it goes a lot to the quality of people we hire. We're the only department in the United States that requires four years of college to get in. We hire one to two percent on the average, I guess, of the people that apply. We're very selective and it's an extremely complicated process to get in. So we don't hire just run-of-the-mill people; we bring in good people. We have a very strong policy in the organization of being open and honest with the press. Yes, there are some guys that probably portray a better image on TV than others, but still the bottom line is that they're conscious enough of their image and are aware of that, how they report it, and sure there are some guys that, as I say, probably don't give a good image or some such thing. But in dealing with the ink media, they just simply report. They take down the information and put it into a different story, so you don't have the visual to deal with. If we have a problem with an individual who has a speaking problem or does not come across well, what they'll do is just use visual on him and the reporter will talk. The guy still gets his name mentioned and still gets credit for what he's doing.

LEN: Did this take a lot of advance footwork within the department to get your officers tuned in to the idea of being individual spokesmen?

JOHNSTON: Not really. We've always espoused an open press policy and to me, the secret to any policy like that working is at the working level, the street level. It does (work). They recognize that you can't fight the press. You don't try to fight them; we're not in business to fight them. We need to work with them. They have a job, we have a job, and there's no reason we can't both accomplish it at the same time. I also have a press relations officer, a PIO sergeant that deals totally — that's his whole function in life — is to deal with the press, particularly if we have a barricaded gunman or something. We're out trying to handle that and the press wants

publicize in all the major newspapers and we don't have any trouble getting applicants. The difficulty is screening those down, because it is a very, very complicated process.

LEN: What exactly are the components of that process?

JOHNSTON: They have to complete an application, and applications are reviewed and screened for work experience. We look at the various kinds of life experience these people have been involved in, we look at their grades in school. Once we look at the applications, we screen that down to a number that we want to talk to. Those people are brought out and we will administer a physical agility examination, a psychological battery of tests, a personal interview with a psychiatrist, a stress group, called a T-group, with Mike Robertson... from San Jose, who does an awful lot of this. He takes care of all that. They must take a polygraph examination, must take a written examination and they also must perform in front of an oral board, which is about two hours. So that process screens them down to the number that will go on to the academy. Then of course they go through the academic course at the academy. Then we have about a five-to-eight week field training program, where they actually go out and perform under the direction of a field training officer. If they complete that phase successfully, then that's when they become an agent. Of course they have to complete the academic first, and then that field training.

LEN: And you say about one percent are accepted?

JOHNSTON: About one percent of those that apply actually are put on the street as police through that entire process.

LEN: For perspective, what are we dealing with in terms of the area you're serving, the numbers of people you're serving and how many people are doing the police work in Lakewood?

JOHNSTON: Lakewood is about 115,000 to 120,000 population. It comprises about 35 square miles. It's a bedroom community to Denver, 85 percent residential, upper-middle class, a tremendous amount of Federal workers in Colorado. Most of our people commute to Denver. Lakewood doesn't have any particular crime problems. It's biggest problem is burglary because of the residential area. Basically, I have 182 sworn police officers and 93 civilians that police the city, so we're at about 1.7 or 1.8 police officers per thousand. We're high in civilianization. All of our records and communications functions, a lot of our technical areas, are all done by civilians because they are more technically trained and equipped to do those technical areas. The policeman is then free to do what he's trained and being paid for, to be a policeman fighting crime.

Charles J. Johnston heads one of the youngest police departments in the country, the Lakewood, Colo. Department of Public Safety, which was formed when the City of Lakewood was incorporated in 1970.

At 38, Johnston has been with the department since it began. He has been detective division commander, commander of the patrol division and commander of the inspectional services unit. He served as acting chief of police from December 1980 until appointed head of the department in May 1981.

A major in the U.S. Army Reserve, Johnston is a decorated combat veteran of the Vietnam War, where he flew 50 aerial combat missions. He holds a Master of Arts degree in public administration from the University of Northern Colorado, as well as a Bachelor of Arts in law enforcement administration from San Jose State University in San Jose, Calif. He is a graduate of the FBI National Academy, where he now lectures from time to time.

Before joining the Lakewood department, Johnston served as a police officer in Salinas, Calif.

This interview was conducted for Law Enforcement News by Peter C. Didenhoff.

traditions

ector of Lakewood, Colorado

LEN: Has the fact that Lakewood has only been incorporated since 1970, and thus the police department itself is only 12 years old, has that afforded you and your predecessors certain rare opportunities to mold the police department into a particular image?

JOHNSTON: No question of that. As I mentioned earlier, we do not have this issue of tradition. We do not have a police union; we have a police association that is very professional, very progressive. I have the luxury as an administrator not to have to deal with many of the problems that a lot of police chiefs do across the country. Some of the crime problems, for example, are light-years away from what I have to deal with. So I can concentrate my time and attention on what I call proactive management. I'm able to plan things and maybe put programs into motion and experiment; I don't have tradition to deal with. I've got the luxury of that, whereas a lot of police chiefs, simply because of the nature of the cities that they have to command, don't ever have the time to do that.

LEN: Going back to what you said about Lakewood being a bedroom community of Denver, does that also suggest that there are specific crime problems that you have to address, perhaps to the exclusion of others which may not be significant crime problems at all for you?

JOHNSTON: Not really. We're able to, I think at this point, adequately address our manpower to the problems. We have in the city of Lakewood about 120,000 people, and we average about 2,000 burglaries a year. We may have anywhere from three to six or seven homicides a year, about 120 to 150 armed robberies, 30 or 40 confirmed rapes, but we do not have a particular problem. It flows. Now of course, drugs is an issue in the schools. We don't have a major drug problem. We have a little bit of cocaine that comes in now and then, but right now our biggest problem is just, I guess, general order maintenance and service and related police activities. We do not have a specific problem that's going to require pulling resources from one area to the exclusion of something that'll go under.

LEN: Is there anything in the way of spillover of crime from, say, college campuses in the neighborhood of Denver?

JOHNSTON: Not a spillover from the college campuses. Of course, we get spillover from Denver and some of the other metropolitan areas as far as crime is concerned. Most of the burglars we arrest are not Lakewood residents; they're residents of Denver. We do have one community college, which is a two-year college in Lakewood, but the Boulder campus, which is up in Boulder, is about 30 miles away and then there's two campuses, what we call the Aurora campus, and Metropolitan State, both four-year colleges located in one area. They are not a problem in any sense, as far as drugs, disturbances or anything. There's just no impact really on Lakewood.

LEN: To what extent does the nature of the law enforcement picture in Lakewood and areas adjoining that require cooperative or joint ventures between, let's say, yourselves, the Denver PD, Aurora, and perhaps county and state agencies?

JOHNSTON: Well, obviously we have to cooperate. The metropolitan area in Denver is about two million population and it takes in 17 separate jurisdictions in that metropolitan area. There's no question that no specific jurisdiction is an island. It can't operate that way. We have one group, of which I'm a member, which is a regional law enforcement association, which is members of the 17 law enforcement agencies, the county sheriffs and police, that are involved in a tremendous amount of cooperative programs. We work with each other, we share resources. I was just chairman of a committee to put together a mutual-aid agreement for the association — a lot of specific examples of where we will send one of our technicians to another jurisdiction to help on a particular homicide or something and we may borrow particular expertise from them. It's good sharing of information. In fact, now we're getting into a computerized program, the PROMIS system, in Jefferson County. Of course that's a cooperative effort between the district attorney and the police, criminal justice people in the county. I would say from my limited knowledge — and

again I'm probably spoiled — the cooperation is excellent. No question, that's the secret to some of the success we've had.

LEN: I recently read in a Colorado paper that virtually with the stroke of a pen the organized crime strike force in Colorado more or less went out of business. Did that have any impact on your operation in Lakewood or operations that might ultimately affect the Lakewood PD?

JOHNSTON: The Organized Crime Strike Force did initially have one of our people involved and we pulled him out about two years ago because he was on the promotion list for sergeant. Because of a manpower shortage, we did not contribute a person back in, so we've not had anybody directly involved. The Organized Crime Strike Force right now is undergoing a lot of scrutiny from both political and other persons. I can't really say, because I'm not that involved in it, as to whether or not the effectiveness of that organization because it was disbanded is going to have an impact on us locally. There's no question that when you're dealing with organized crime, narcotics and the kinds of things that the strike force was involved in, when you do away with it, obviously something is going to happen. What it is, where it's going to occur, I don't know, but to me the strike force was an important part of our ability to deal with organized crime because, again, organized crime is not regionalized in the sense of just one community. It expands out. It takes a certain amount of expertise, a certain amount of support, not only in the operation of undercover operations, but then also with the courts and various other parts of criminal justice agencies. Because this particular function has now been stymied, I would feel reasonable to say we probably will feel a negative impact in the sense that some organized crime — gambling, prostitution, narcotics — will flourish for a while until we put something like this back in, because no single community can deal with organized crime. They may just push it around a little bit.

LEN: You came up through the ranks in the Lakewood PD. To what extent do you think having an in-house appointee as police chief is beneficial to the organization?

'We have what you call positive turnover — people leaving because they're competent and because people want to hire them as chief somewhere.'

JOHNSTON: I feel that in my case — and I'd be crazy not to say it — that the advantage lies in the fact that I'm conscious of where the problems are and where I think that we need to spend the time and the money and the resources. When you hire a police chief, I think you look at the person, and I don't think you necessarily concentrate on whether he's inside or out. You look for a person who's going to provide for the needs of that particular organization at that particular period of time. I feel I have something to offer for my time, and it was time for what we call a blood transfusion for the organization. Every four or five years, you need to pump new life into the organization, and in three or four years, it'll be time for me to move on because my worth to the organization will no longer be as great.

I think under the circumstances of what the organization was faced with at the time when my appointment came, it was time to begin a more proactive form of law enforcement, more innovative leadership, more proactive programs in the sense that just because we've done it this way for the last five or six years doesn't mean we still can't try to find new ways. The advantages there were that I had, if you will, got my wings and experience in the organization and was kind of brought along knowing full well what we'd done in the past and what we wanted to do in the future. I think at the time my particular strengths, whatever they may be, were an advantage to the organization. Once we've brought the organization up to another level — it's kind of in its adolescence, I would say — it'll be time to bring in another person, probably, to take it another step, and it'll progress through the years.

LEN: In addition to the open press policy that you talked about before, what other proactive stances has



the department taken?

JOHNSTON: I'm involved with a program with Harvard and CU (Colorado University) to do some teaching in the Western slope, where — and again, I'm not saying I, because I'm representing the department — some Western slope communities are beginning to deal with energy impact and economic development that's going to happen over there over the oil shale. I was asked to go over there and speak to those communities on how we could take the Lakewood concept and apply it to these smaller communities, if you will, to professionalize their organizations. So I'm spending a lot of time in that particular area. In fact, I have a career development program that we've initiated in a committee that I happen to be chairing in the state chiefs' association that will be a step in trying to professionalize all law enforcement in Colorado and we're using Lakewood kind of as the foundation for this. We're going to start that program. I'm also involved with the Governor's office in putting together a mock bank robbery-crime prevention series in the local banks, and we're going to use Lakewood as a test vehicle to set these mock bank robberies up, film them, put them together in a canned package and then market them out to the other local jurisdictions. Those are just a couple of things.

LEN: Given the professionalism that the Lakewood approach seems to suggest, do you find that members of Lakewood PD tend very successfully to transplant themselves into leadership positions elsewhere in the

state or around the country?

JOHNSTON: Lakewood, fortunately for law enforcement and sometimes unfortunately for Lakewood, has had over 30 people leave the department to become chiefs of police. We have now, either active chiefs or those who have left to become chiefs, over 30 people in a 10-year span that have become chief executives of law enforcement agencies across the country. I think that's a very positive thing for the department and the negative part of it is you always hate to see a good man leave. But we would never stymie a particular individual to allow his career development, so I think that's a pat on the back, not only to our selection process. In fact, I have a captain right now that's one of four finalists for another chief's position in a town right next door to us, but I think it's a positive step for law enforcement, because he's going to take a little of Lakewood with him. So that community will benefit, and it also allows another person to come up in the organization. There has to be career elevation within the organization. If there's not, people are not going to stay. So we have enough turnover and it's what you call positive turnover — people leaving because they're competent and because people want to hire them as chief somewhere. That creates a vacancy and everybody gets their chance. It's like me. Sometime I will move on to some other type of job, so somebody will have an opportunity to stay.

LEN: Going back again to the entry requirements, is there a lateral entry concept built into the whole thing that perhaps has brought you the type of police professional that you've been looking for all along?

JOHNSTON: We had a lateral entry program for about

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Designing police training to fit the job situation

Continued from Page 6

Although other department divisions should receive training in the course of ICAP implementation (e.g., dispatchers, investigators), the focus here is on the skills-development training to be provided to patrol, which is the primary focus of ICAP training. To select the best methods for patrol training, a review of the skills essential to ICAP implementation is a must. As stated earlier, the primary requirements include the ability to: prepare quality field reports; use situational analysis information in planning patrol actions; conduct preliminary and, in some cases, follow-up investigations; participate to a greater extent in patrol planning, and accomplish crime prevention activities as a part of the regular patrol function.

Noting these skill requirements, the training method selected should approximate the actual job situation. Since the emphasis in patrol training is on "skills," the method selected should provide for discussion of the process, observation of those skills as they are applied on the job,

and the opportunity for the trainee to perform the learned skills and receive immediate feedback on the quality of his performance.

The primary method to be used in patrol training, then, should be field or on-the-job training. Although OJT will be relied upon heavily in developing the required patrol skills, it should not be used to the exclusion of other methods of training. The lecture method, which is the most common of all forms of training and has been used extensively by ICAP departments in the past, continues to be a viable method of instruction. The presentation of factual information, guidelines and/or policies is often a prerequisite to actual skills-development training. For example, training to improve field reporting could begin with a classroom lecture explaining the report form and the desired technique for its completion.

Some of the obvious disadvantages of the lecture method include its failure to approximate the job environment and the fact that students are passive.

However, certain advantages associated with the method argue for its continued use. Those advantages include its low cost (relative to other methods) and the ability to present material to a large number of students simultaneously. These two advantages clearly demonstrate the relevance of the lecture method to ICAP patrol training, since cost and time are critical factors in method selection.

The structured discussion method also may have application to patrol personnel training as a means of examining trainee attitudes and altering negative attitudes held toward given program concepts. If they are supportive of the program, other members of the group will be particularly helpful in altering the opinion of a peer.

While the advantages of on-the-job or field training have been discussed previously, they are repeated here to emphasize the importance of this method of training. Most importantly, field training provides the appropriate means for observation of trainee performance within the real job environment and

allows instructors to reinforce desired behavior and to provide remedial instruction to those trainees who require additional attention. Further, field training removes obstacles that exist in the transfer of learned skills and behaviors from the classroom environment to the real job setting.

A benefit of field training not previously discussed is that an immediate return is realized on the department's investment in training. That is, the trainee is actually performing his job responsibilities and duties while he is being trained.

These advantages, and the fact that skills are best taught through a process of discussion, observation and task performance with feedback on the quality of the performance, strongly recommend the use of field training for patrol-skills development.

A final form of field training, which may be defined as soft training hours, has gone largely unrecognized — training conducted within a department that is

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LEN interview: Charles Johnston of Lakewood, Colo.

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the first seven or eight years we were in existence. We did away with it only because we had a little bit of a problem with it in the sense that we would bring in people with five, six years experience and they would come in, good quality people. However, they felt that they had paid their time in the trenches, if you will, and unfortunately, we don't have enough detective jobs and enough promotions that you can make all these people happy. So the frustration level would be greater with those kinds of people, because they'd be brought in and couldn't sit down to a patrol function. They'd paid their dues, in a sense, and they don't want to stay in the street, although we do have very active and innovative programs. Lakewood has its career development, where we rotate all our people through the various assignments. You don't have to be promoted to be a detective or work undercover intelligence. People are rotated through those assignments. Still, the rotation doesn't occur quickly enough. So we kind of did away with the lateral entry concept and stayed strictly with our recruit level, where we bring in these younger people that really give it 100 percent for four, five, six years, because that's where it's really at. They're not as easily frustrated. By that time, they're usually ready to make the adjustment into a new position.

LEN: Is the very active recruitment effort to seek out qualified entry-level people likely to be a continuing posture on the part of Lakewood PD? Is that the kind of stance that will continue to attract sufficient numbers so as to offset losing substantial numbers of people to executive jobs elsewhere?

JOHNSTON: I think so. Our posture at this point is that we feel although our selection criteria is very stringent, we're able to bring in the kind of people that we're really looking for. I think that in the long run — the attrition we do have in the department is 99 percent positive attrition, people leaving to develop themselves career-wise rather than being negative about the department. We feel that our posture in years to come will be to continue with the recruit-level entry, continue with the rotation and continue to motivate people to move up and better themselves in the law enforcement field. I don't feel that there's any negative impact. You talk about supervisors — myself, I'm 38 years old and a chief, and probably the average age in the department is 26. The oldest person I have in the entire department is about 45. So we have a lot of youth and some people will criticize and say you don't have enough experience, but we make up for it in enthusiasm of youth, so it's been offset. I think we have enough positive turnover, I think we have enough enthusiasm and it keeps the organization willing to change and evolve.

LEN: Is the youthful enthusiasm of the department compensated for in terms of a rigorous, ongoing in-service training program?

JOHNSTON: We do have an in-service program, and of

course it's much like any of them. It does not receive the attention it really should, although in 1982 and '83 we're going to begin to add more attention to that. For example, we would like to provide 80 hours of in-service training to all of our officers. We just started a new program where we brought in a professor that's teaching stress management — to all the people in the organization, not just our sworn people, but to our civilian and clerical people and so on — and we're going to re-emphasize the importance of in-service training because it has in the past few years not received the attention, particularly in the area of current law. We also have a weakness in some of the professional liability issues that we have to deal with as police officers. I have my own legal advisor and he's been kind of in that caretaker function, and he's just been able to keep up with the ongoing things. I'm trying to free him to begin to do some in-service training in the area of some of the liability issues we have to face under the current criminal law. We haven't given it the attention we should, but it's an objective we want to accomplish.

LEN: Have there been any particular incidents or problems with liability that may have adversely affected the department?

JOHNSTON: None really, except that we are, as any organization, constantly being sometimes singled out for some type of civil liability. It takes a tremendous amount of time, not only on the officer's part, but also on the attorneys and so on. We've had a couple of issues, two of them dealing with our canine program. We've had one dog and one handler that've been involved in two lites, if you will, where they've bitten citizens that they should not have hurt. And the money and the waste of time associated with that is just incredible. It just takes one or two of these to throw you off whack. We've had another issue dealing with a Catch-22 situation I'm in right now on a person that's had a tremendous amount of accidents. Yet, it's difficult to prove whether it was the fault of the person totally enough that you can terminate the individual. On the other hand, we have some sort of a liability associated with continuing to allow that person to drive a police car. Some people can drive a car and drive down the street. In normal testing this particular individual does not have a problem. Yet when you put them in the role of having to look for burglars and driving at night and the rest of it, then we have all these accidents. So I'm struggling with that as an issue. What do you do? Those are the kind of things. They're not significant, they're not the thing that's going to make the front pages of newspapers, but they're still topics.

LEN: Is there any projection you can make as to either the short- or long-term future of what might be a crime problem or a police service problem of some sort, the kind of thing you'd have to be on the lookout for and start leading up to at this juncture to avoid it becoming

a real mess at some point down the road?

JOHNSTON: Not any specific crime problem. Now, because of necessity, we had to absorb very much a cutback in management, as a lot of organizations have. In fact, I had to cut a half-million dollars out of my nearly 8½ million dollar budget, and if you cut a half-million dollars out, which figured out to 23 positions, it's significant in a city with 300 employees. We didn't have to reduce any services, by the way. We were able to accomplish the cutback in people with no service reduction and, again, it took some innovative programs that we've been able to establish. But the bottom line is that I'm actually at the squeaking point, that if crime consistently goes up or any particular crime problem, we just don't have the resources to deal with it. However, looking at the economy, looking at the state of the nation, the unemployment, all those associated things tend to indicate to me that we're going to have an increase in crime. Lately we've had a decrease, interestingly enough. But I won't take the credit for the decrease because I don't want to have to be responsible for the increase. The issue I have to be most concerned with is how far can I stretch those resources to deal just with crime in general. Because we not only have a crime function, but also a service function. If I can be cognizant of where that rubber band stretches to the breaking point, then I need to go forward to get more people. I guess if there's any particular future issue that I'm concerned with, it's that — to continue to be more efficient with the people I have, and when it's time to go forward and say, "Hey, I need more people," I'm going to have to take that step.

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An up-to-date look at modernization's effect on crime

Crime and Modernization. By Louise I. Shelley. Carbondale, Ill.: Southern Illinois University Press, 1981. 186 pp.

The central thesis in Shelley's scholarly presentation centers on the premise that modernization has affected the rates and forms of criminality in the past 200 years in both capitalist and socialist societies. "Crime and Modernization" documents the historical transition in international crime patterns that is a consequence of socioeconomic development. With this transformation in historical perspective, Shelley suggests, it is possible to evaluate the extent to which development, rather than unique and individual cultural and social characteristics, is responsible for observed changes in criminality.

This examination of the effect of modernization on crime in developing, and developed, capitalist and socialist countries is an attempt by the author to synthesize a broad body of information and to extract from it some tentative conclusion on the impact of diverse social and economic forces on crime and the offender. The level, form and geographical distribution of diverse criminal offenses, as well as the nature of the offender population of societies with various degrees and forms of socioeconomic development, are examined explicitly by Shelley. The author also explores the impact of social and political controls exercised on individuals, and the influences of such controls on natural crime patterns.

The distribution of criminality and the

nature of the offender population are examined in relative terms of several distinct sociological measures of development: the extent and speed of the urbanization process; the degree of industrialization; changes in the social structure of society, and the impact of the criminal justice system.

Throughout this fundamental analysis, Shelley is extremely cautious not to oversimplify the basic relationship between crime and development. Rather, the relationship between industrialization and urbanization and changes in the levels and forms of criminality are shown never to be in a simple linear context. Every effort is made to show that it is the complex social changes accompanying these two major manifestations of

development that contribute to the observed patterns of criminal behavior. Shelley's analysis demonstrates that a complex relationship exists among different variables associated with the process of development and the phenomenon of crime.

"Crime and Modernization" begins by laying out the primary theoretical problems addressed in the following chapters, as well as examining recent writing on the impact of modernization and current explanations of the causes of both adult and juvenile crime. It evaluates the extent to which the research examined in following chapters can shed information on the theoretical explanations of the etiology of criminal behavior and the relationship between socioeconomic development and crime.

A discussion of crime and development in historical perspective provides the initial background for a later look at the nature of contemporary criminality. The second chapter goes on to show that previous historical periods also experienced serious crime problems and thus the relationship between urbanization and crime was already established before the advent of modernization.

The remaining chapters focus exclusively on present-day international crime and criminality patterns, geographical distributions of criminality, offender populations, and the efforts made to control or combat the problem of crime.

The third chapter, on crime in developing countries, examines the extent to which developing countries are currently replicating the changes in rate and form of crime commission that occurred in the 19th century in Europe during the initial stages of the modernization period. In the fourth chapter, Shelley demonstrates that the crime patterns of developed capitalist societies have continued to evolve in the direction initiated during the first phase of 19th-century modernization, while in the fifth she focuses on the criminality of socialist societies, primarily the Soviet Union and those countries of Eastern Europe for which criminological data was available. The reader soon realizes that despite socialist predictions and claims to the contrary, these countries have not avoided the increase in crime that accompanies modernization.

The study of crime and criminal behavior has resulted in a myriad of analytical and theoretical approaches. Shelley's theory provides an insight into the principal correlations of crime and modernization. The theory of modernization is an important explanation of the etiology and proliferation of criminality in contemporary society.

But the major contribution made by Shelley is not the novelty of her research conclusions, but the fact that what has seemed to be the evident effects of the development process on crime are in fact part of the general pattern. This pattern both international in scope and historically relevant, poses broad implications for the understanding of the impact and dimension on human behavior of socialist and capitalist development.

WILLIAM S. CARCARA

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How budding prosecutors grow:

Synthesizing a 'critical position' in CJ

The Prosecution Function. By David M. Nissman and Ed Hagen. Lexington, Mass.: Lexington Books, 1982. 205 pp.

Few would question that nowhere in society are the powers of the government more delicately balanced than in the courts. As such, the prosecutor's role is one of an individual who executes directives of government prescribed by the legislature, while the judiciary interprets and applies these directives. In his role the prosecutor occupies a critical position in the criminal justice system. It is the prosecutor who must focus the power of the state on those who defy its laws. He

must argue to the judge and jury that the sanctions of the law need to be applied. He must meet the highest standard of proof because the issue of freedom is paramount.

Considering the above statement, it is clear that the prosecutor must be a skilled professional. With this in mind, David M. Nissman and Ed Hagen wrote the book, "The Prosecution Function." As the authors state, "Our most painful (memories) are of the beginner's mistakes we made and the cases we lost as a result." These mistakes and many years

of growth prompted the authors to prepare a book which would help the budding prosecutor not only to see "the big picture," but also to increase the skills of the neophyte prosecutor.

The volume's twelve chapters place the prosecutorial process into a sequential order, with the exception of Chapter 12, which deals with the drunk driver. Logically, the authors commence the entire process with a brief chapter giving a historical perspective of the prosecutorial function and follow the progression through to Chapter 10, Case Presentation, and Chapter 11, Expert Witness.

This well-written book makes for enjoyable and easy reading. As a synthesis of the prosecutorial function, it will be useful to the neophyte prosecutor, and is also appropriate for a wide range of audiences, including the student of criminal law and justice. Making skillful use of the appropriate standards, case law and appropriate reference material throughout the entire book, both authors are to be commended for attempting to place into perspective the origin and logical progression of the prosecutorial function.

As the authors note in the introduction, this book is designed as a "nonsense manual" to speed the metamorphosis of the neophyte prosecutor and, as such, the book sets forth general information in conjunction with the prosecutorial function. The book provides a comprehensive, but basic review of the prosecutorial function, written in a style and format that should enable the budding prosecutor to perform within the judicial arena in such a manner will withstand judicial scrutiny at a trial.

One relatively minor caveat was noted in the book. Despite the soundness of the book, the authors dedicate the book with a statement, which, if this reviewer were a public defender, would ruffle some feathers. The book is dedicated "To the real public defenders," yet as professionals in the criminal justice system we are all dedicated to fulfilling the role of a "real public defender." However, with the exception of this minor criticism, the book is a positive contribution not only to the prosecutorial function but to the entire criminal justice system.

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A new look at 15 years of crime-prevention theory

Security and Crime Prevention. By Robert L. O'Block. St. Louis, Mo.: The C.V. Mosby Company, 1981. 452 pp.

The concept of crime prevention in law enforcement developed within the past 15 years, the major impetus coming after the publication of "The Challenge of Crime in a Free Society" in 1967.

In the years since, many institutions have been formed to research the area of crime prevention. Many police departments have formed crime-prevention units and sponsored crime-prevention programs, and there is currently a move toward national coordination of this effort.

Robert L. O'Block's recent work presents the current theories of security and crime prevention in one publication, organized along the lines of four general topics: An Interdisciplinary Perspective, Personal Crime Prevention, Business Crime Prevention, and Community-Based Crime Prevention.

The first section deals with the nature and theory of crime prevention and includes a discussion of the importance of parents, schools and peer groups in determining the future of a child. According to the author, positive early intervention can effectively reduce the chances of delinquency and "cut crime at the roots."

O'Block goes on to review the various precautions individuals can take to insure the safety of themselves, their

families and their property, with most of the economical techniques based on common sense. One area of particular interest in large cities — crimes against the elderly — is examined in depth and tactics are offered to combat the problem.

The third section discusses the strategies that can be utilized by businesses to avoid being victimized. It includes a detailed discussion of security surveys and target-hardening techniques, as well as an examination of the costly effects of corruption in government and business.

The discussion of "Community-Based Crime Prevention" proposes physical planning of the environment as the first step in reducing the opportunity for crime. Community programs that were successful in other areas are reviewed in detail. O'Block also devotes a substantial amount of space to a look at the role of criminal justice agencies and new directions in crime prevention and security.

This work would make an excellent textbook for crime prevention-related classes in colleges, institutions and police academies. Perhaps more significantly, it warrants the attention of anyone interested in achieving a safe and secure society.

Use of choke-holds squelched for LA cops

Continued from Page 1

susceptible to choke-hold injuries, and that some of those conditions, such as sickle-cell anemia and high blood pressure, are more prevalent in blacks.

Booth said Gates was referring to people with those conditions, not the black race, when he said they might not respond as quickly as "normal people."

John Mack, president of the Los Angeles Urban League, said Gates's position is unacceptable.

"The Urban League rejects the idea that some blacks might react differently," Mack said. "There is not one shred of medical or scientific evidence to support that condition."

In a press conference on May 10, the Urban League joined three members of the City Council, leaders of the National Association for the Advancement of Colored People and religious leaders in calling for Gates's resignation. They also called for a ban on bar-arm and carotid holds.

A few days later, the Police Commission, the civilian panel that oversees the Police Department, ordered a six-month moratorium on the use of any choke-hold, except under circumstances where the use of deadly force is permitted.

During the moratorium, the police department is to study other ways to subdue violent suspects without using deadly force, and is to present status reports to the commission every two months.

When the moratorium expires, the commission will decide whether to make the ban permanent.

Reacting to a request from the mayor, the commission also set up a special committee to look into charges of prejudice on the part of Gates. The committee is to report to the full commission and make recommendations as to possible



LA Police Chief Daryl Gates

discipline against the chief. Although no deadline for the committee's report was set, Urban League president Mack said he expects the report in late May.

Mack said he accepts the decision on choke-holds, although he is not completely satisfied. "All that is a step in the right direction, except that it doesn't go far enough," Mack said. "Choke-holds should be outlawed entirely."

But he remains adamant about Gates. "We don't need that kind of leadership. It does not build bridges," he said.

Commander Booth said the department has used choke-holds as an interim step between gentle tactics, such as verbal persuasion and holding, and more violent tactics, such as karate or using the baton.

He said police officials will continue to search for other tactics. "Our study of non-lethal ways to take violent people into custody has been a long, ongoing thing," he said. It includes the adoption of items such as electronic "stun guns" and tear gas.

Both the issues of choke-holds and racial prejudice are long-term controversies in Los Angeles. The city faces a lawsuit filed in Federal court seeking to force the city to limit the use of choke-holds. The case is now before the U.S.

Supreme Court, which recently stayed an order directing the city not to use the holds unless an officer is threatened with death or serious injury.

Gates was also accused of prejudice when he defended police actions in the fatal shooting of an unarmed black woman, Eulia Love, in 1979, and when he made controversial statements concerning the promotion of Hispanic officers and the influx of Soviet Jews into the area.

Imagination seen as a key to improving the training function

Continued from Page 10

not specifically labeled as training. For example, some departments allow patrol officers — depending on the time available — to work with department investigators in conducting follow-up investigations. Additional opportunities for this type of informal training should be explored by departments as a further means of expanding the field-training concept.

To resolve the dilemma of police priorities and proper utilization of resources, the ICAP concept introduces a more systematic approach to the planning, development and integration of police functions and services. The application of the ICAP concept will result in increased overall effectiveness of all police services, with a special emphasis on increasing quality arrests, case clearances, and successful prosecutions. Whereas previous modernization efforts used approaches that were often fragmented or compartmentalized, ICAP permits consideration of all police service-delivery activities and functions

both individually and within the context of the department's stated goals and objectives. Thus, the training function represents one of many approaches or methods for developing increased effectiveness of police services. Training in this context becomes a valuable management tool for developing needed skills and communicating the basis of a department's policy for management decision-making.

Generally speaking, an overview of police training indicates some promising aspects, such as the fact that both ICAP trainers and administrators have become increasingly concerned with the lack of imagination and quality of training efforts. This recognition indicates that the ICAP police trainer and administrator are paying more attention to feedback received from officers who have undergone the training process and who are in excellent position to critique the relevance of training programs to day-to-day line operations. Finally, ICAP police administrators have recognized the critical contribution of training in light of the enhanced role and responsibility of the police. The result has been a demand to develop new types of training, as well as innovative programs to equip all officers with the necessary background and tools to effectively perform day-to-day activities.

Looking for smoke signals:

Reliability of pot-testing challenged

Continued from Page 5

asked Dr. Clarence Robinson, the chief surgeon for the New York City Police Department, and the man who oversees testing for the department. "Is a person to be dismissed for one puff seven years ago?"

In New York, recruits are tested for 20 substances before they are accepted, including morphine, cocaine, codeine and amphetamines, according to Robinson. If the test indicates the presence of an illegal substance, a second urine sample is tested by another method to confirm the finding.

The drug use is reported only if confirmed by both tests.

Robinson said New York doesn't test for marijuana use because officials don't believe the test will stand up to a court challenge.

He said a class-action suit several years ago challenged an officer's dismissal for valium abuse, claiming that even a six percent margin of error was too large.

The suit was upheld, and the police department began using a second test to confirm all drug detections. The second test narrows the margin of error enough that such findings stand up in court, he said.

But marijuana testing is still new, Robinson pointed out, and while the manufacturers claim 95 percent accuracy, there is no second test available to back it up.

Many other departments follow procedures much like that used in New York. In the Los Angeles County Sheriff's Department, recruits are first given psychological tests, and then are asked to provide a detailed medical history and are given a battery of background tests, according to Dr. Katherine Moroney of the county medical team.

No marijuana test is given during routine testing, but any officer suspected of abuse can be asked to go to the counseling department for assessment.

The Houston Police Department rejects more potential recruits for narcotic use than for any other reason, said recruitment officer J.L. Kendrick, but it doesn't test for marijuana use.

"We have what we consider a very open policy," Kendrick said. "One-time experimental use, if it can be shown that's what it is, is not the basis for dismissal."

Kendrick said most narcotics use is detected through the candidates' admissions, but he said a reliable marijuana test "could be useful" to departments that don't have polygraphs.

Recruitment officers in Chicago, Miami and Nashville also said their departments have no physical tests for marijuana.

"We've never given tests randomly like in Washington," said Michael Sbea of the Chicago recruitment office.

Marijuana testing could become more widely used in the next few years, however, as the test becomes more ec-

cessible. First introduced in 1980, the test became available in "portable" kits in September, reducing the cost of testing to about \$2 per person.

The SYVA Co. of Palo Alto, Calif., the only firm offering the marijuana test, gives the test a 95 percent accuracy rating. It does not measure the quantity of drug used.

The Defense Department has been the major user of marijuana testing and began tying test results to discipline or discharge in February.

The test can be performed with standard laboratory equipment readily available to most police laboratories, according to a member of the technical staff of the New York State Drug Abuse Control Commission laboratory.

The staff member said that the 95 percent accuracy rating is probably low, because he finds the incidence of a false positive reading rare.

Washington's Metropolitan Police Department began using the urine test last December, according to public information officer Jim Battle. The department has tested recruits for other drugs since the early 1970's.

Battle said the marijuana test was administered without warning to all 165 members of the academy class that graduated May 7. He said the department has no plans to abandon testing with future classes, although the surprise element may have been destroyed by the extensive publicity given the disputed results.

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Supreme Court Briefs: defining new limits to children's rights

Continued from Page 5

fields of anthropology, medicine and sex education.

The case had its origin in the New York court system, where it worked its way up to that state's highest court, the Court of Appeals. In a sharply divided decision, the Court of Appeals held that such a ban was a violation of the First Amendment to the Constitution.

The appeal to the Supreme Court was taken by the State of New York because of a compelling state interest in the welfare of children. In bringing the appeal, the State contends that the statute in question was enacted to prevent the "profound physical and, especially, psychological injury" suffered by the children who are used in the making of the materials. The State further emphasized that its legislature specifically enacted the ban on the dissemination of material containing children engaged in sexual conduct to eliminate what it saw as "the economic incentive for the sexual abuse...."

In oral argument, the State of New York reiterated the compelling state interest in protecting the welfare of children, noting that traditional approaches through obscenity statutes have failed to deter the traffic in obscene material. The state urged that a ban directed exclusively at obscene child pornography would fail to keep such materials from reaching those persons desirous of purchasing materials depicting children engaged in sexual acts.

Central to the State of New York's argument was the position that "a sexually abused child suffers the same trauma regardless of whether the work which contains the depiction of his sexual performance is legally obscene."

The defendant in the present case attempted to convince the Supreme Court that New York's ban is overly broad, in that serious works in the field of anthropology, medicine and sex education might be banned because they contained portions which might conflict with a literal interpretation of the statute.

Turning to the core issue of why the law initially passed through the state legislature — the prevention of the sexual exploitation of children — the defense presented the argument of whether the ban actually furthers that goal. The counsel for the defendant argued that the State's action of removing the legal market for such material is only "tangential" to the State's expressed goal. The counsel for the defendant summed up with the reminder that as recently as 1979 the Supreme Court had rejected a limitation on speech designed to protect juveniles. (New York v. Ferber, No. 81-55, scheduled for oral argument between April 19 and 30, 1982.)

Ball for Child Molestars

In an unsigned decision, the Supreme Court held that a person convicted of three counts of first-degree sexual assault on a child could not maintain his appeal challenging the constitutionality of Article 1, §9 of the Nebraska Constitution.

Article 1 §9 of the Nebraska Constitution provides in relevant part that "all persons shall be bailable...except for treason, sexual offenses involving penetration by force or against the will of the victim, and murder, where the proof is evident or the presumption great."

The defendant in the present case was charged with first-degree sexual assault on a child and three counts of first-degree forcible sexual assault. When the defen-

dant first appeared on the charges, his request for bail was denied. Pursuant to that application for bail, defense counsel had, in accordance with Article 1 §9, stipulated that in this case "the proof was evident and the presumption was great."

On May 23, 1980, a bail review hearing was held in Douglas County District Court. Judge James M. Murphy denied the second request for bail. Judge Murphy ultimately brought the appeal in the United States Supreme Court following a decision in a Federal appellate court that was in conflict with his decision not to grant bail.

The following month, while the charges were pending against him, the defendant filed a complaint under 42 U.S.C. §1983 in the United States District Court for the District of Nebraska. The complaint alleged that Article 1 §9 was a violation of the U.S. Constitution's "right to be free from excessive bail and cruel and unusual punishment, to due process and equal protection of the laws, and to the effective assistance of counsel under the Sixth, Eighth, and Fourteenth Amendments." In October 1980 the District Court dismissed the complaint.

On November 5, 1980, the defendant was found guilty of two counts of first-degree forcible sexual assault, and was sentenced to consecutive terms of 8-15 years in prison. Earlier the defendant had been convicted of first-degree sexual assault on a child. For that offense he was sentenced to 12-15 years in prison. Each of the convictions is presently under appeal.

Last year the Court of Appeals for the Eighth Circuit rules on the appeal from the unsuccessful §1983 action. The appellate court determined that the "exclusion of violent sexual offenses from bail before trial violates the Excessive Bail Clause of the Eighth Amendment of the United States Constitution." That decision by the Court of Appeals was summarily set aside by the Supreme Court in this case.

By its action, the Supreme Court completely sidestepped the issue of whether the Nebraska Constitution is in conflict with the Eighth Amendment. The Supreme Court based its decision solely on the position that the defendant's claim became moot following his three convictions. In explaining the concept of mootness, the Supreme Court noted that a case becomes moot "when the issues presented are no longer 'live' or the parties lack a legally cognizable interest in the outcome. The Justices noted that there is no reasonable expectation that the defendant would likely be in a position to demand bail, in light of the fact that there is no reason to expect that all three of the convictions will be overturned on appeal.

Justice White dissented, noting that the appellate court should have been given the opportunity to explore more fully the question of mootness. (Murphy v. Hunt, No. 80-2165, decision announced March 2, 1982.)



BURDEN'S BEAT

By ORDWAY P. BURDEN

City dwellers find the thrill is gone as vest-pocket parks become crime havens

Crime, and the fear of crime, pervade many aspects of city-dwellers' lives today. Handguns proliferate, many people avoid public streets after dark, and the manufacturers of locks, alarm systems and other security devices are enjoying a bull market.

The all-too-well-founded fear of crime in our cities is even affecting architecture and city planning. It has long been an article of faith in architecture that unrelieved concrete and asphalt are dehumanizing and that green spaces, trees, shrubbery and fountains must therefore be included in a development plan to give the human eye and spirit a pleasing aspect to view in the midst of towering commercial buildings. And so, in the last decade or two, virtually every new office building in our metropolitan areas has been punctuated by a plaza or small park where workers and passersby may enjoy a small slice of nature.

Increasingly, that article of faith is under attack by the very people the parks and plazas are designed to benefit. The reason, of course, is that too often the parks are no longer havens from the hurly-burly of city life. Rather, they are hangouts for drifters, drug dealers and panhandlers, and meeting places for vandals and criminals planning forays into the surrounding neighborhoods.

Take the case of the developer planning a high-rise office building in Cambridge, Mass., a Boston suburb and the home of Harvard University and Massachusetts Institute of Technology. The developer presented a proposal to the city's planning board calling for a vest-pocket park — 10,000 square feet of trees and shrubs abutting his proposed high-rise — as a means of placating the citizens of the predominantly residential neighborhood, who were not thrilled at the idea of an office building to begin with.

They were not placated. In fact, they fought the developer tooth and nail. No park, they said. Build townhouses instead of green space next to the proposed office building, they urged. One of the unhappy residents was Amram Ducovny, a vice president of Brandeis University, who wrote an article for the Boston Globe's op-ed page. "The residents told the planning board that any unattended green space is quickly taken over by drunks and addicts and becomes a staging area for vandalism in the neighborhood," he wrote. "With gallows humor born of bitterness and frustration, they offered to wager that the trees would be uprooted or sawed off as fast as they were planted; that any fence would last only as long as there was a brawny, 24-hour guard to tend it; and that Budweiser and muscatel would soon outgrow Austrian pines or American holly."

Ducovny pointed out that the neighborhood residents didn't really want townhouses, either, but better townhouses than a small park that inevitably would become an eyesore and a breeding ground for crime. "People who own or rent property maintain it," he said. "Public space becomes a jungle." There was a certain irony in the residents' opposition to the park plan because, as Ducovny noted, they were "park people" — vocal advocates of green spaces rescued from city concrete.

But the times, and their views, had changed. Their pleas failed to move the developer, however, and the plans for the vest-pocket park are proceeding. It won't be public space, though, in the sense of being municipal property. The park will be private property, which means that if it's to be policed at all, the buildings' owners and citizens' patrols will have to do the job. And that is what is expected to happen. At this writing a committee of residents is negotiating with the developer to extend its present crime-watch patrols to the park when it becomes a reality.

The story is a melancholy vignette of urban life today, but it is not unique. And the problem doesn't always involve parks in residential neighborhoods. In midtown New York City, for example, not far from Times Square, a plaza in a major office building was closed off with a spiked fence when it became a gathering spot for derelicts and panhandlers instead of the oasis it was meant to be. The fencing was announced as a temporary measure while demolition work was going on next door, but there is a strong suspicion that it will never be reopened unless the Times Square area is revitalized by new construction projects which are now on the drawing board.

The office building's plaza is a block from Bryant Park, a lovely minipark behind the imposing New York Public Library. Its shrubs and shaded walkways used to offer a pleasant respite from Manhattan's rush and hubbub. Today, even in broad daylight, it probably harbors more drug dealers, derelicts and criminals than casual strollers. Why not just clear 'em out? Possible, perhaps, by stationing several police officers there more or less permanently, but the bums and dealers would just take their wares and troubles elsewhere.

Meanwhile, city people lose one of the amenities of urban life when vest-pocket parks — either public or privately owned — are effectively closed off to the law-abiding. No doubt that's not as great a trauma as a mugging or housebreaking, but it is one more step toward the deterioration of the quality of life.

(Ordway P. Burden welcomes correspondence to his office at 651 Colonial Blvd., Westwood P.O., Washington Twp., NJ 07675.)

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UPCOMING EVENTS

JUNE

11-July 19. Third New York State Approved Security Personnel — Peace Officers Special Patrolmen Training Course. Presented by The Criminal Justice Center of John Jay College. Sponsored by The Security Management Institute. Tuition: \$275. For further information, contact: Mr. John Garcia, Criminal Justice Center, John Jay College of Criminal Justice, 444 West 56th St., New York, NY 10019. Telephone: 247-1600.

13-19. Second Annual Certified Security Trainer Program. Presented by the Academy of Security Educators and Trainers, Inc. Fee: \$1400. For further details, contact: Norman R. Bottom, Jr., Criminology Dept., Indiana, Pa. 15705. Telephone: (412) 357-2770.

14-15. Street Survival Seminar. Presented by Calibre Press. To be held in Hendersonville, Tenn. For further details, contact: Calibre Press, 666 Dundee Road, Suite 1607, Northbrook, Ill. 60062. Telephone: (312) 498-5680.

14-15. Basic Crime Prevention Theory & Practice Seminar. Presented by The School of Justice Administration. Fee: \$500. For further details, contact: Admissions, National Crime Prevention Institute, School of Justice Administration, University of Louisville, Shelby Campus, Louisville, Ky 40292. Telephone: (502) 588-6987.

14-16. Police Rangemaster Course. Presented by Davis Clark & Associates. For further information, contact: Mr. Marc Bradshaw, Program Coordinator, Davis Clark & Associates, P.O. Box 6524, Modesto, Calif. 95355. Telephone: (209) 577-5020.

14-July 2. Technical Accident Investigation Course. Presented by The Traffic Institute. Fee: \$625. For further details, contact: The Traffic Institute, Northwestern University, 555 Clark St., P.O. Box 1409, Evanston, Ill. 60204.

15. Use of Deadly Force Workshop. Presented by the Massachusetts Criminal Justice Training Council. For further details, contact: Massachusetts Criminal Justice Training Council, 1 Ashburton Place, Room 1310, Boston, Mass. 02108.

15-17. Arson Investigation Seminar. Presented by The Center for Criminal Justice. To be held in Cleveland, Ohio. Fee: \$150. For further details, contact: Case Western Reserve University, Center for Criminal Justice, 11075 E. Blvd., Cleveland, Ohio 44106. Telephone: (216) 368-3308.

15-17. Burglary Investigation Seminar. Presented by Washington Crime News Services. To be held in Tampa, Fla. Fee: \$315. For further details, contact: Washington Crime News Services, 7620 Little River Turnpike, Annandale, Va. 22003. Telephone: (703) 941-6600.

18. Civil Liability Course. Presented by the Center for Criminal Justice. To be held in Cleveland, Ohio. Fee: \$50. For further details, see: June 15-17.

21. Career Marketing Seminar. Presented by The Criminal Justice Center of John Jay College. Tuition: \$75. For further information, see: June 11-July 19.

21-24. Terrorist Tactics & Technology Seminar. Presented by Police International, Ltd. To be held in Washington, D.C. Tuition: \$700. For further information, contact: Police International, Ltd., Box 220, Oakton, Va. 22124.

21-25. Law Enforcement Instructor Training/Management Workshop. Presented by the Southwestern Legal Foundation. For further details, contact: Donald T. Shonahan, Director, Southwestern Law Enforcement Institute, P.O. Box 707, Richardson, Tex. 75080. Telephone: (214) 690-2394.

21-25. Twenty-Fifth Annual Short Course for Defense Lawyers in Criminal Cases. Fee: \$350. For further details, contact: Office of Continuing Legal Education, Northwestern University School of Law, 357 E. Chicago Avenue, Chicago, Ill. 60611.

21-25. Science in Law Enforcement Course. Presented by Case Western Reserve University. Fee: \$175. For further details, see: June 15-17.

24-27. Law Enforcement Hypnosis Seminars. Presented by the Law Enforcement Hypnosis Institute, Inc. To be held in St. Louis, Mo. For further details, contact: Dr. Martin Reiser, Director, Law Enforcement Hypnosis Institute, Inc., 303 Gretna Green Way, Los Angeles, CA 90040. Telephone: (213) 476-6024.

27-July 1. Fifth Annual Vehicular Homicide/DWI Conference. Presented by The Traffic Institute. Fee: \$275. To be held in Chicago, Ill. For further details, see: June 14-July 2.

27-July 1. Terrorism In The 1980's Workshop. Presented by Richard W. Kobetz and Associates. To be held in Toronto, Ontario, Canada. For additional information, and free newsletter, contact: Dr. Richard W. Kobetz, North Mountain Pines Training Center, Route Two, Box 342, Winchester, VA 22601. Telephone: (703) 662-7288.

27-July 11. A Two-Week Criminal Justice Seminar. Hosted by the Netherlands School of Business. For additional information, contact: School of Criminal Justice, State University of New York, 135 Western Avenue, Albany, NY 12222. Telephone: (518) 455-6284.

28-29. The Police Response to Hostage Situations Seminar. Presented by The Pennsylvania State University. For further details, contact: The Pennsylvania State University, Keller Conference Center, University Park, PA 16802.

29-30. Street Survival Seminar. Presented by Calibre Press. To be held in Huntington, W. Va. For further details, see: June 14-15.

JULY

3-August 1. Criminal Justice Systems of the Western World. Presented by Wichita State University. For further details, contact: Charles E. Heilmann, Wichita State University, Box 25, Wichita, KS 67208.

5-8. The Sixth National Youth Workers Conference. Sponsored by The National Youth Work Alliance. To be held in Washington, DC. For further information, contact: Conference Staff, National Youth Work Alliance, 1346 Connecticut Avenue, N.W. Suite 508, Washington, DC 20036. Telephone: (202) 785-0764.

6-8. Stress Management for Police. Presented by Washington Crime News Services. To be held in Seattle, Wash. Fee: \$315. For further details, see: June 15-17.

7-8. Street Survival Seminar. Presented by Calibre Press. To be held in East Peoria, Ill. For further details, see: June 14-15.

7-8. Art Theft Prevention Program. Presented by The Pennsylvania State University, Keller Conference Center, University Park, PA 16802.

11-15. Forty-fifth Annual Conference. Presented by The National College of Juvenile Justice. To be held in Portland, Ore. For further details, contact: National College of Juvenile Justice, P.O. Box 8978, University of Nevada, Reno, NV 89507. Telephone: (702) 764-6012.

11-30. The Second Biennial AU School of Justice Institute on Juvenile Justice. To be held in London, England. Presented by The American University School of Justice. For further information, contact: Dean Richard A. Myren, Director, Institute on Juvenile Justice in England and America, The

American University, Washington, DC 20018. Telephone: (202) 686-2532.

12-15. Practical Homicide Investigation Seminar. Presented by The University of Delaware in cooperation with the Delaware State Police. To be held in Wilmington, Del. Fee: \$285. For more information or brochure, contact: Jacob Haber, University of Delaware, 2800 Pennsylvania Avenue, Wilmington, DE 19806. Telephone: (302) 738-8155.

12-16. Fourth Internal Affairs Workshop. Sponsored by The Southwestern Legal Foundation. For further details, see: June 21-25.

12-23. Drug Investigation Course. Presented by The Massachusetts Criminal Justice Training Council. For further details, see: June 15.

12-23. Supervisory Development Course. Presented by The Georgia Police Academy. For further details, contact: Ms. Tobie Oliver, Registrar, Georgia Police Academy, P.O. Box 1466, Atlanta, GA 30371. Telephone: (404) 656-6105.

14-15. Street Survival Seminar. Presented by Calibre Press. To be held in Johnston, Idaho. For further details, see: June 14-15.

14-15. Evidence Presentation Course. Presented by The Georgia Police Academy. For further details, see: July 12-23.

19. Revolver Familiarization And Re-qualification Course. Presented by The Massachusetts Criminal Justice Training Council. For further details, see: June 15.

19-21. Police Rangemaster Course. Presented by Davis Clark & Associates. For further details, contact: Mr. Dale Hoagland, Training Programs Coordinator, Davis Clark & Associates, P.D. Box 6524, Modesto, CA 95355. Telephone: (209) 577-5020.

19-23. Video Surveillance Operations Course. Presented by The National Intelligence Academy. Fee: \$495. To be held in Ft. Lauderdale, Fla. For further information, contact: David D. Barrett, Director, NIA, 1300-1400 NW 62nd Street, Fort Lauderdale, FL 33309. Telephone: (305) 776-5500.

20-22. Hostage Negotiation Techniques for Police Seminar. Presented by The Washington Crime News Service. Fee:

\$315. To be held in Seattle, Washington. For further details, see: June 15-17.

24-25. Survival & Judgmental Shooting Techniques for Law Enforcement. Presented by Davis Clark & Associates. For further details, see: July 19-21.

26-27. Electronic Spying and Countermeasures Seminar. Presented by Rose Engineering Associates. Fee: \$400. Ten percent discount if two or three attend from one company. For further details, contact: Rose Engineering Associates, 7906 Hopon Valley Court Adamstown, MD 21710. Telephone: (301) 831-8400.

26-29. Summer Camp Session: Martial Arts and Range Instructor Workshop. Presented by Richard W. Kobetz & Associates. To be held in Winchester, Va. For further details, see: June 27-July 1.

26-30. The 37th Annual Short Course for Prosecuting Attorneys. Presented by Northwestern University School of Law in Chicago. For further details, see: June 21-25.

26-30. Basic Photography School. Sponsored by The Massachusetts Criminal Justice Training Council. For further details, see: June 15.

AUGUST

1-6. Annual Training Seminar of The International Association of Auto Theft Investigators. To be held in Baltimore, Md. Fee: \$65.00. For additional information and registration forms, contact: Detective Sergeant C.O. Brickey, Maryland State Police, 601 East Fayette Street, Baltimore, MD. Telephone: (301) 486-3101.

3-5. Hostage Negotiation — Tactics and Alternatives Seminar. Presented by The Washington News Crime Service. Fee: \$315. To be held in Steamboat Springs, Colo. For further details, see: June 15-17.

3-5. Burglary Reduction Course. Presented by The Massachusetts Criminal Justice Training Center. For further details, see: June 15.

3-6. Bomb Threat Response Course. Presented by Police International, Ltd. To be held in Buffalo, N.Y. Tuition: \$550. For further information, see: June 21-24.

6-7. Street Survival Seminar. Presented by Calibre Press. To be held in Auburn, Wash. For further information, see: June 14-15.

9-12. Security Electronics Seminar. Presented by Police International, Ltd. To be held in Washington, D.C. Tuition: \$700. For further information, see: June 21-24.

9-20. Crime Scene Search School. Presented by The Massachusetts Criminal Justice Training Council. For further details, see: June 15.

10-11. Fire and Arson Seminar. Presented by The University of Delaware in coopera-

tion with the Newark, Del., Police Department and the Office of The Delaware State Fire Marshal. Fee: \$195. For further information, contact: Jacob Haber, University of Delaware, 2800 Pennsylvania Avenue, Wilmington, DE 19806. Telephone: (302) 738-8155.

11-13. Technical Intelligence Course. Presented by The National Intelligence Academy. Fee: \$325. To be held in Reno, Nev. For further details, see: July 19-23.

16-18. Police Rangemaster & Firearms Instructor Course. Presented by Davis Clark & Associates. Fee: \$300. For further details, see: June 14-18.

17-19. Intermediate Management Development for Police. Presented by The Washington Crime News Service. To be held in Steamboat Springs, Colo. Fee: \$315. For further information, see: June 15-17.

30-Sept. 3. Legal Procedures Course. Presented by The Georgia Police Academy. For further details, see: July 12-23.

SEPTEMBER

6-8. ICAP (Crime Analysis) Seminar. Presented by The Washington Crime News Service. To be held in Hapeville, Ga. Fee: \$315. For further details, see: June 15-17.

6-8. Intermediate Management Development for Police Seminar. Presented by The Washington Crime News Service. Fee: \$315. For further details, see: June 15-17.

10-11. Street Survival Seminar. Presented by Calibre Press. To be held in Amarillo, Tex. For further details, see: June 14-15.

13-17. Technical Surveillance Course. Presented by The National Intelligence Academy. Fee: \$495. To be held in Ft. Lauderdale, Fla. For further details, see: July 19-23.

14-17. VIP Protective Operations Course. Presented by Police International, Ltd. To be held in Washington, D.C. Tuition: \$550. For further details, see: June 21-24.

21-23. Police Interview & Interrogation Seminar. Presented by The Institute of Police Traffic Management. For further information, contact: University of North Florida, 4567 St. Johns Bluff Rd., South Jacksonville, FL 32218. Telephone: (904) 646-2722.

21-23. Stress Management for Police Seminar. Presented by The Washington Crime News Service. To be held in Hapeville, Ga. Fee: \$315. For further details, see: June 15-17.

24-25. Domestic Terrorism and Outlaw Motorcycle Gangs Seminar. Presented by The Brookfield Township Police Department. Fee: \$50. To be held in Brookfield, Ohio. For further details, contact: Ptm. J.C. Mitchell, Brookfield Police Dept., 6844 Strimbu Dr., Box 21, Brookfield, Ohio 44403. Telephone: (216) 448-4045.



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LAW ENFORCEMENT NEWS

May 24, 1982

John Jay College of Criminal Justice/CUNY
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★ **Choking on a bone of contention:** Attempting to quell a furor over the use of a deadly choke-hold tactic, LAPD Chief Daryl Gates finds himself with an even bigger racial flap on his hands. **Story on Page 1.**

★ **Obstacle course for drunk drivers:** More and more departments are discovering a new way of curbing drunk drivers — by setting up roadblocks and checking everyone for sobriety. But there are a few catches. **On Page 3.**

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